

Copies of consultation replies

- A. Moorside Primary School Objection
- B. Ravinder Amrith on behalf of Lancashire County Council (landowner)
Objection
- C. Michael Worth's (Applicant) comments on the objection made by Ravinder
Amrith on behalf of Lancashire County Council as landowner
- D. Ravinder Amrith's response to the comments made by Michael Worth
(Applicant)

Moorside Primary School

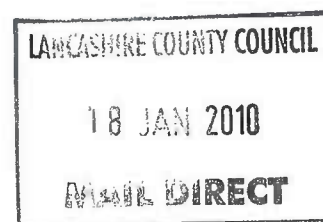
Bowerham Road Newlands LANCASTER LA1 4HT

Headteacher: Mr Len Guest

Deputy Headteacher: Miss Gail Osborne



Joanna Rushton
County Secretary and Solicitor's Group
PO Box 78
County Hall
Preston
PR1 8XJ



Dear Ms Rushton

Wildlife and Countryside Act 1981 – Part 3

Claim for a Definitive Map Modification Order claimed for public footpath from Barton Road to Bowerham Road Lancaster.

Following the recent meeting at Moorside School and receipt of your letter dated 18/11/2009 we provide you with the following supporting evidence for a rejection of this application.

Moorside School is not in agreement with this application on the following grounds:

- The grounds in question (coloured yellow on the attached plan) are in the ownership of Lancashire County Council for the sole use of Moorside School.
- Moorside School has had sole use of this land since the school was built in 1951 and this can be demonstrated through deeds of ownership.
- The school makes use of this land for weekly sports lessons, sports days, nature investigations and Eco activities,
- Our Parents and Teachers Association use the fields for PTA sports, social and fund raising events.
- The school uses the field to bring together groups of children from mainstream and special schools, and children who have varying degrees of hearing impairment special needs, so that they can explore this natural resource and share their work and experiences with each other.
- The school and the local School Sports Partnership use the field for inter School sports activities including football matches and rallies and rounders matches and rallies involving children from schools across the district.

- The field has evening use too - (in autumn/summer/spring) - for training and on each Sunday for matches, for a local U8, U9, and U10s football club.
- The school has set strong objectives to make even greater use of its land. We have adopted the Forest Schools Curriculum for our youngest children and Learning Beyond the Classroom has become a priority for all ages and all subjects at Moorside School. Our children use the school grounds and attached woodland on a weekly basis.
- In order that school activities can proceed unhindered, dog owners have often been requested to remove themselves and their dogs so that the normal business of the school can go ahead on the school's fields.
- There is a locked gate between the fields and the adjacent cycle track, restricting travel across the fields towards the cycle track. Notices provided via the County Council are prominently displayed deter trespassing.
- Allowing this application would give free access to an substantial piece of school grounds and facilitate the mixing of unauthorised adults and dogs with the pupils of Moorside School.

Additional information:

The school, in partnership with Lancaster City Council, was instrumental in the redevelopment of the old cinder track at the side of the school fields being transformed into a tarmac, lit and fenced cycle track to complement the City cycle network.

Completion of the track and replacement of the associated fence was the first step taken by the school in its field's development plan.

The abundance of dog excrement, the ineffective safety provided by the dilapidated hedging to the western side of the school grounds and the inefficient land drainage systems has made the use of the fields often unattractive – especially in wetter weather.

These problems have prompted the school governors to look for funding to make our grounds safe, clean and accessible, thereby completing step two of the development plan. We have now acquired sufficient targeted funding to drain and improve the surface of the fields and to complete the security fencing around the school's land. This project to drain and fence will be completed during the early months of 2010.

The school contends that to allow unmonitored access by the public to the school grounds runs contrary to all advice and regulation. Safeguarding is a responsibility that must be taken very seriously. As a 'Limiting factor' the school would be liable to fail an Ofsted inspection if we could not demonstrate that we have robust Safeguarding practices and procedures in place.

A public footpath through the middle of the school playing fields would be an unnecessary and problematic resolution to the requests of those wishing to travel over our playing fields when simpler and equally effective solutions are on offer and achievable.



During the installation of the cycle track fencing and gate – and during the planning stages for the remaining security fencing – the school's headteacher and the school governors met regularly with a group who wished to have free access to the land discussed above.

The group, entitling themselves 'Moorside Fields Community Association', had two prime objectives.

1. To negotiate a link between Barton Road and the Cycle track
2. To have access to parts of the school owned land for a 'community nature resource'.

The school has discussed both these requests with this group and has offered a solution to both requests.

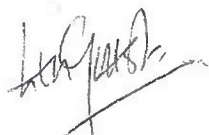
1. The school has indicated that, should the County Council be in agreement, we would offer a means of travel between Barton Road fields and the Cycle track along a discretionary route at the far end of the school football fields. This is an adjusted route to that which is in the Application. It is our contention that the alternative route will serve exactly the same purpose whilst allowing the school to go about its business unrestricted by a pathway directly across football and sports pitches. The alternative route suggested would require a consultation process and decisions made by Lancashire County Council.
2. The school has indicated that it would not fence off an area of particular natural beauty (known locally as 'The Allotments') and offer it to the community group for combined community/school use. This too is of course dependent on County Council approval.

I enclose photographs of school activities on the school fields as evidence that there is continuous use of this land by the school.

I enclose maps/plans indicating the areas discussed above.

On behalf of the Governors of Moorside Primary School.

Len Guest
Headteacher





The opening of the cycle track with Mr Guest, Headteacher and Lancaster City Councillor Eileen Blamire.



Winning at the school sports day



Nature walks



‘Forest School’ activities



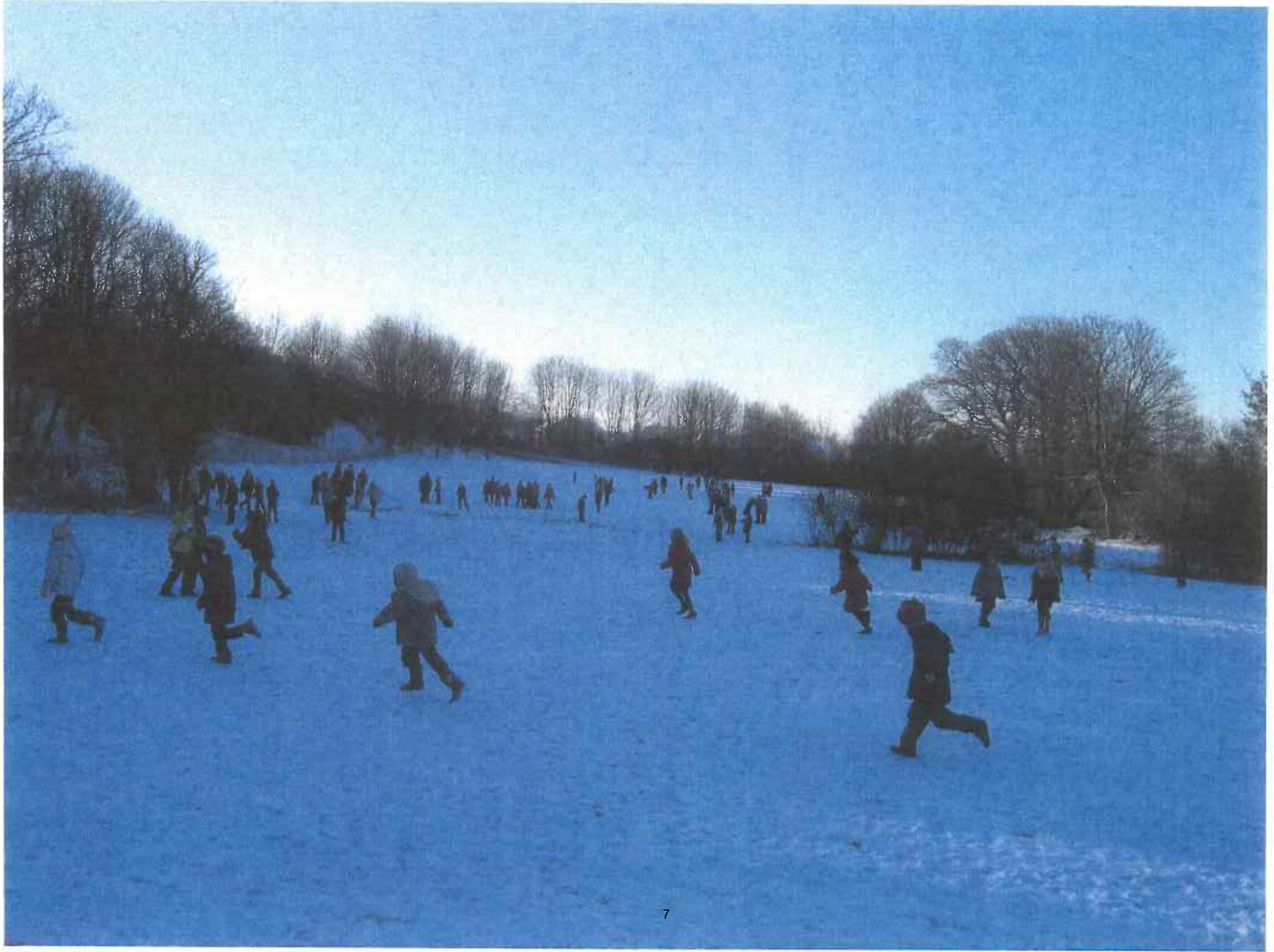
Setting off on a grounds walk



Using anything that we can find to play and explore



Forest Schools work is about using the outdoors space to explore and to support classroom learning



FOOTBALL

Pitch battle for local schools

Guardian photographer **GARTH HAMER** was at football tournaments at Moorside School and Heysham High School last term. Here are some of his photographs



Moorside Primary School football tournament action between Ridge Primary and St Bernadettes (above) and (right and far right) Moorside take on St Lukes.





ANN
CARTY
SPORTS
DAY
1962



Kids cry foul over dog mess

TWO Lancaster schools have joined forces to campaign against dog fouling.

Pupils, parents and staff at Moorside and St Bernadette's schools in Bowerham Road are so fed up of trying to avoid dog mess when they are walking to school or using the playing fields that they have launched a campaign.

Banners have been made and letters sent out to make dog owners aware of the schools' concerns, encouraging them to scoop their dog's poop.

A dog warden from the city council was also invited into school to lend support to the campaign.





Moorside School

current fencing

fencing to be erected March 2000

school land to be left unfenced

Alternative route as pathway across school land (to be confirmed)

WILDLIFE AND COUNTRYSIDE ACT 1981

CLAIMED PUBLIC FOOTPATH FROM BARTON ROAD TO BOWERHAM
ROAD, LANCASTER

LANCASHIRE COUNTY COUNCIL

CLAIM NO. 804/496

OBJECTION

ON BEHALF OF LANCASHIRE COUNTY COUNCIL AS

LANDOWNER

All references in this Objection to statutory provisions are to the Wildlife and Countryside Act 1981 unless otherwise stated.

Glossary:

Landowner –	Lancashire County Council
LO –	Landowner
the School –	Moorside Primary School
the Objector –	Landowner, CYP and the School
CYP –	Directorate for Children and Young People
LO Land –	Landowner's land edged red on the Plan
the Plan –	Plan reference v1.2p and dated 29.01.13
School Playing Fields –	marked 1, 2 and 3 and shaded Pink on the Plan
Barton Road Playing Field –	marked 5 and shaded blue on the Plan

Gressingham Drive Fields –	two fields marked 4a and 4b and shaded yellow on the Plan
School's Land –	marked 6 and shown white on the Plan
Claimed Route –	shown as a purple dashed line and marked A to B on the Plan
MFCG -	Moorside Field Community Group
DMS –	Definitive Map and Statement

INTRODUCTION

1. These grounds object to the MFCG's claim for a route from (A) Barton Road to (B) Bowerham Road ("Claimed Route") shown on the plan with reference v1.2.p ("the Plan") at **Appendix LO1**.
2. These grounds are advocated by the LO and include evidence from CYP and the School and collectively will be also referred to herein as ("the Objector"). It should be noted that the Objector may have already submitted and or may submit comments in objection and that these are to be considered in addition to this objection and documents referred to herein.
3. This objection is made on the basis of the evidence and information currently available to the LO. The LO therefore reserves the right to amend, amplify or add to this Objection in the light of fresh evidence and/or any further submissions from MFCG or other such persons in favour of the Claimed Route.

LANCASHIRE COUNTY COUNCIL'S LAND OWNERSHIP

4. The LO is the freehold owner of land edged red on the Plan.
5. Barton Road Playing Field (shaded blue and marked 5) and Gressingham Drive Fields (shaded yellow and marked 4a and 4b) are managed by the LO. The School Playing Fields (shaded pink and marked 1, 2 and 3) and the School's Land (shown white and marked 6) are managed by the School.
6. The Barton Road Playing Field is a site held for use by local schools which do not have on-site playing field provisions. The schools that can choose to use these fields in addition to the School are Scotforth St Pauls CE Primary School and St Bernadettes RC Primary School. The alleged Claimed Route crosses the northern section of the Barton Road Playing Field.
7. The Gressingham Drive Fields are two fields marked 4a and 4b and shaded yellow on the Plan. The Gressingham Drive Fields were subject to a mowing and grazing tenancy agreement for twelve years between 1989 to 2001 during the relevant period 1988 to 2008. From October 2001, the two fields have been retained by the Landowner for future educational provision by way of a new school facility. The alleged Claimed Route crosses the south of Gressingham Drive field marked 4b.
8. The School Playing Fields are shown shaded pink on the Plan and marked 1, 2 and 3. School Playing Field marked 1 is a drained and developed playing field for sport purposes. It is frequently used by the School and during the school year has marked out running lanes, football and rounder's pitches crossed by the alleged Claimed Route. School Playing Field marked 2 is an

area of undeveloped land held as part of the Moorside School site. School Playing Field marked 3 is a former allotment site that was from 1st April 1982 leased to the Moorside Allotment Holders Association until they terminated the Agreement on 31 March 1995.

9. The School Land shown white and marked 6 on the Plan forms the School's grounds. To the south of the School there has always been available a permissive path available for the public to use and make access to school easier from the Hala estate. The School has managed the footpath to make available the line to be walked on by the public. At the time the Claimed Route was brought into question the route had been re-constructed to provide a dual footpath/cycle path as shown in brown on the Plan.

THE SUBSTANTIVE LEGAL BACKGROUND

Procedural matters

10. The procedural matters are set by section 53(2); a Registration Authority is required to make modifications to the map and statement as soon as reasonably practicable after the occurrence of 'an event'. The applicable activating event is that stated at subsection 53 (c) (i) *"the discovery...of evidence which... shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land is the area to which the map relates, being a right of way such that the land over which the right subsists is a public path..."*

11. The proper approach to the application of section 53 (c) (i) at the stage where a modification order is to be made was considered to be as follows in *R. v SSE, ex. p. Bagshaw and Norton (1994)* does the evidence produced by the claimant together with all the other evidence available show that either (a) a right of way subsists? Or (b) it is reasonable to allege that a right of way subsists.

12. The LO accepts that the approach advocated in *Bagshaw* properly applies to the making of a modification order. However, when an order modifying a DMS comes to be confirmed under s.53 (6) of and Sch 15 to the Act, the Registration Authority cannot confirm the order if satisfied *only* that the allegation of the subsistence of the way was reasonable. Rather, he must be satisfied on the balance of probabilities that the way subsists: see *Todd v, SoS* [2004] 1 W. L. R. 2471 at [51].

13. The Applicant is claiming by way of evidence of use forms that the Claimed Route have been used on foot for 20 years and therefore is claiming deemed dedication under section 31 Highways Act 1980 or dedication inferred at common law.

Substantive legal test

14. The substantive test as to whether a right of way subsists is set by section 31 Highways Act 1980. Under section 31 Highways Act, MFCG must satisfy each of the following tests:

(1) Enjoyment by the public "as of right": not by force, nor stealth nor by the licence of the Landowner;

(2) Without interruption. This is actual interruption of the enjoyment of the right;

(3) For a full period of 20 years.

15. If any one of these tests is failed, MFCG will not have established that the statutory presumption of dedication is made out. For the avoidance of doubt, it is the LO submission that none of these tests are made out, and MFCG case must fall at this first hurdle.

16. In any event this statutory presumption is rebuttable by evidence that the LO did not intend to dedicate the way as a public right of way. It is the LO submission that there is substantial evidence before Regulatory Committee of acts by the LO that are inconsistent with any intention to dedicate the alleged line of the Claimed Route as a public right of way.

17. The relevant 20 year period is to be calculated retrospectively from the date when the right of the public to use the way was brought into question. In the present case, the LO granted Lancaster City Council a licence to carry out construction works as part of the cycle scheme shown on the Plan marked brown as the 'dual use path' and as part of the construction works a fence was erected with the last job of installing and locking the gate shown on the Plan marked with a 'G' on 3 July 2008 see **LO2**. Accordingly, the relevant period during which MFCG must demonstrate user of the path is July 1988 to July 2008.

18. In the event that the statutory presumption of dedication under section 31 Highways Act 1980 is not established, a way may still be dedicated at common law but as demonstrated on the second limb of the statutory presumption test above, the Objector evinces many acts to demonstrate lack of intention to dedicate.

THE OBJECTION

EVIDENCE OF USER

19. The Objector does not intend to address all of the user evidence in this Objection, but merely seeks to highlight the inadequacies in the evidence that has so far been submitted and to show that there has been insufficient use of actual enjoyment of the way for the period required 'as of right'.

19.1 All user evidence forms ("UEF") attach the same marked out plan showing the alleged Claimed Route and it is submitted there is the risk that the line claimed is not necessarily the line walked. This is corroborated by the fact that users indicate various routes crossing over the beck.

19.2 A material proportion of the users indicate that they did not use the same route across the land;

19.3 A user further confirms there was some variation over the Barton Road football pitches with no distinct path on the Barton Road Playing Field;

19.4 Users remember a wooden gate at the access to the land on Barton Road at point A evidencing users would have used the way by force.

- 19.5 One user identifies she walked through the gate marked on the user plan with a cross, but the gate identified is not sited on the Claimed Route, confirming she did not use the line of the Claimed Route.
- 19.6 20 out of 45 responses say there is no signage. The remaining 25 state that the only signage is the new ones installed in 2008 after the completion of the cycle path but see evidence dealing with Notices when proving landowners contrary intention to dedicate, below.
- 19.7 One respondent states that *"someone I knew asked the head teacher of the school for permission to access the land"* confirming use was not 'as of right';
- 19.8 Aerial photographs submitted both by the School and by MFCG does not show any marked out path of the Claimed Route during the relevant period on fields 1, 2, 3, 5 and confirms the permissive path within area 6;
- 19.9 Further 31 respondents state that they walked their dogs over the school field (despite the signage) – confirming that they believe the application is for open access to dog walkers, not a right of way from A to B.
- 19.10 MFCG general approach has lacked direction and is inconsistent. For example, the group considered changing the line of the Claimed Route however did not.
- 19.11 A number of the routes claimed are not the shortest or most logical route to take between the points given, for example 4 users all state

that they use a route across the fields between 37 Chester Place and 221 Bowerham Road. One user claims the route as a shortcut from 37 Chester Place to the playground on Winchester Avenue when in fact it is far longer via this route. One user states a route from Ulster Road to Barton Road and lives at Lily Grove. None of these destinations require access via the Claimed Route, as they are all north of Barton Road and therefore brings into question their credibility. One user who confirms she lives on Brookside states the Claimed Route provides her with a shorter route, however it is submitted anyone living on Brookside would use the informal access from Brookside through the community centre car park, as confirmed in the evidence of Richard Wood at **LO3(1)**.

19.12 One user confirms that there is not a single identifiable right of way across the LO Land and mentions various routes/crossings over the beck.

19.13 Two users claim to have looked after the fields however; responsibility for the School Playing Fields for grounds maintenance has always been with the School. The Applicant in fact, being fully aware that the School Playing Fields including the LO Land has always been owned by the LO and controlled by the School, has approached the School on occasions before the event of the installation of the gate to voice their opinion on the school's mowing regime and further asked for specific consent to use the LO Land.

19.14 A material number of users state that they have visited the field to watch school sports day which suggests an understanding that part of

the Land forms the School's Playing Field and that s/he was on the Land with permission/licence. Indeed the School has and continues to hold sports day on the School Playing Field marked 1 where it permits spectators to watch.

19.15 User evidence that they walked the Claimed Route A to B does not stand up to the fact that there are no defined paths on 1, 2, 3, and 5 and are on 4a and 4b. The path constructed by the LO on land marked 6 and now a dual use path as shown on the Plan, was used with permission, there were no Notices regarding ownership or trespassing ever erected on this path, constructing and making the full length from Bowerham Road to Gressingham Drive available. By sharp contrast, once users came off the path at point G on the Plan, there was a clear Notice advising the public that playing field 1 was the Schools playing Field and the reasonable user would have understood that the members of the general public were not permitted on this land.

INTERRUPTION... 20 YEARS CONTINUOUS USE...

20. For the reasons set out below the Landowner submits that the alleged Claimed Route has been used with sufficient interruption. Sufficient interruption during the relevant period demonstrates that users were prevented from actual enjoyment and cannot evidence using the Claimed Route for a continuous 20 years.

Barton Road Playing Fields

Fenced off as per line of drainage easement

21. There has been actual and physical interruption of users enjoying the Claimed Route from A to B. For a period of over 9 months between July 1989 and April 1990 the Lancaster City Council carried out works in respect of the Bowerham Flood Relief Scheme Phase 2 ("the Scheme") see **LO4(1) to LO4(8)**. In order to effect the Scheme, Barton Road Playing Field was fenced off on the line of the 'drainage easement' as shown on the plan in appendix **LO4(6)** and for ease of reference marked out in green and indexed 'drainage easement' on the Plan **LO1**. For the avoidance of doubt, whilst the Scheme was referred to as the Bowerham Flood Relief Scheme, the Scheme affected the Barton Road Playing Field marked 5 on the Plan.

22. The works to achieve completion of the Scheme clearly evidences insufficient use of the way for the period required (1988 to 2008), the construction works interrupted actual enjoyment of the continuous line of the Claimed Route from A to B.

Sport activities

23. The Barton Road Playing Field currently has two marked football pitches to the southern end of the Barton Playing Field. There was further a proper cricket square marked out opposite point A on the Plan and next to this cricket square, a properly marked out hockey pitch. Both the cricket square and the hockey pitch were marked out on the line of the alleged Claimed Route on the Barton Road Playing Field.

24. The evidence submitted in appendix **LO4(1) to LO4(8)** corroborates the existence of the cricket square and hockey pitch and their position. **LO4(1) to LO4(8)** is evidence taken from the Lancaster City Council's file on the Bowerham Flood Relief Scheme. The letter dated the 5th July 1989 at **LO4(4)**, hand written notes **LO4(5)** with attached plan **LO4(6)** confirms a meeting on the sewer scheme which ironed out some concerns. One concern addressed as the first point in the letter reads *"The temporary access road is not to be taken where there is a natural break in the hedge onto Barton Road, because it would affect the football and the cricket pitches, and perhaps prevent their use"*. The plan referred to in this letter at **LO4(6)** shows a revised access for implementation of the Scheme, the access was moved north of the natural break in the hedge being point A on the Plan. The Grounds Maintenance Manager has further clarified in his evidence at **LO3** that what the Lancaster City Council have referred to as a football pitch was actually a cricket pitch "...that looks very similar to a 7 aside football pitch..." The **LO3** accepts that players did engage in a game of football on the cricket pitch but the purpose of the game is irrelevant, the existence of two pitches on the line of the alleged Claimed Route on the Barton Road Playing Field caused sufficient interruption in use.

25. As Lancaster City Council has corroborated, the cricket pitch and hockey square were in use during construction works to implement the Scheme with the Scheme ultimately interrupting the continuous line of the alleged Claimed Route being available for a substantial 9 months within the relevant period claimed.

26. There is evidence in the way of a file note confirming the sport lettings on the Barton Road Playing Field to be in existence dated 19 August 2005 at **LO5**. It is evident that 4 different groups were actively using with the LO's permission and using the Barton Road Playing Field for football and for other generic use. There were two football clubs namely, Lancaster Free Methodist who rented the football pitch on a Saturdays between 2 p.m. and 4 p.m. and a fee was charged. The second being Bowerham FC again for football on Sundays from 2pm to 4 pm. Barton Youth and Community Centre Lancaster City Council and the schools in the area had further use of the Barton Road Playing Field. There is further corroboration at **LO6** of the Lancaster Free Methodist Church Football Club that they were still letting in 2010 and a second Lancaster Giants FC were letting. It is submitted that the hockey and cricket/football pitch at the north of the field and the general use by other groups with permission from the LO, sufficiently interrupted the use of the line of the alleged Claimed Route during and outside school hours to have been actually enjoyed for a continuous period of 20 years.

Gressingham Drive Fields

27. It is confirmed that the Gressingham Drive Fields marked 4a and 4b have had a mowing and grazing licence since 1989 to 30 September 2001 see **LO7**, the mowing and grazing licence totalled 12 years within the relevant period of the Claimed Route (1988 to 2008). It is clear that anyone of the users would have either encountered the actual and physical mowing and grazing of the Gressingham Drive Fields and interrupted use or at least would have taken note that the Gressingham Drive Fields to have been mowed and grazed and

the reasonable user would have understood the lack of landowner intention to dedicate.

School Playing Fields

28. The Plan shows the School Playing Fields shaded pink and marked 1, 2 and 3.

The line of the alleged Claimed Route crosses the School's Playing Field and it is to this extent that the School has produced the following evidence.

29. 46 evidence forms at **MS1(18)** have been submitted by the School on behalf of the Moorside Community. The form includes the question *"Have you attended school events on any parts of the land"* and 37 out of the 46 users have said yes and indicated on the plan in the evidence form that the school events have taken place on the School Playing Field including the School Playing Field marked 1 on the Plan. 5 evidence forms have not attended school events so there is no indication of location of school events. 2 evidence forms have only attended the school fair event which only took place post 2001 on the School Playing Field marked 2 on the Plan as anti-social behaviour including damage to the stalls was caused by teenagers.

30. The evidence forms show that school events included annual sports days and football tournaments during and after school hours, physical education lessons held by the School during the day and evening, parent teachers association events, science lessons, sponsored walks with permission, rounders, rugby matches and training have taken place on the School Playing Field marked 1 for the whole relevant period 1988 to 2008. **MS1(22)** provides independent evidence of football tournaments on field 1 on Friday 31 December 2004 in The Lancaster Guardian newspaper. The evidence provides sufficient

interruption for the full 20 years and it is clear that users would not be able to walk the specific line of the alleged Claimed Route on the School Playing Field marked 1.

31. The Grounds Maintenance Manager in appendix **LO3(1)** further confirms that during a twelve month period, a football pitch was marked and used from April until August and then a rounder's pitch was marked out and used from September to April meaning the School Playing Field marked 1 being used every month of each year.

32. The School has further submitted evidence forms from six teachers of the School dating back to 1995. In the evidence of Michelle Dent at **MS1(29)** she confirms that she has been a teacher at the School since April 1995 and confirms the use of the School Playing Field marked 1 as already listed in paragraph 30 above, again confirming sufficient interruption of the line of the Claimed Route.

33. Ms Dent also confirms that she on many occasions asked unauthorised persons on the School Playing Field marked 1 to remove themselves from the field. Ms Dent has further confirmed that unauthorised persons tended to be dog walkers and confirms they were definitely roaming as opposed to walking the line of the Claimed Route. Ms Dent confirms her words to dog walkers to be *"Excuse me, would you mind taking your dog somewhere else, this is a school field and there are children trying to have a PE lesson"*. Ms Dent further elaborates on her acknowledgement of walkers taking a short-cut and confirms *"No specific line, I have seen people walking from different directions, I have not noticed specifically that it is well used in one particular way on and off the*

field, I would also say that the field is and never was a busy thoroughfare. If there was a well used route there would have been a worn path in the grass and there never was. See photos". She further confirms she has told trespassers that it is the school owned field "Yes. The boys on motor cycles were ex-school pupils so knew. Some of the other trespassers just stared ahead not wanting to engage in conversation". As regards difficulties Ms Dent has experienced "Yes, one lady owner, a few ago, was told she was on school property. She left the field but then returned and walked straight through my class P.E Lesson. I did not confront her as I was alone with my class."

34. School teacher Jonathan, confirms that *"people moved from the field when I take the children out for their weekly PE lessons outside". Another School teacher confirms "In Autumn term 2004 both year 5 classes were on the field – walking all around it – there were 3 people with dogs on the field. All 3 were asked to leave. We did explain that the children were having a science lesson in the school fields. 2 of the dog owners left. One, however, was not willing to leave. He did leave, but returned with the dog before the end of the lesson.* School teacher Gail confirm she has always told trespassers that the field is school owned and as regards difficulties states *"Yes, I have been ignored, I tend not to confront people again if they are ignoring me as it is intimidating for me and am always worried about angry/aggressive behaviour in front of children".* It is submitted, continued use after being told to leave the field, was by force.

35. A further report was submitted by two teaching assistants both Mrs McNulty and Mrs Whiteway confirming that they ran a lunchtime football club for 4 years from 2000 to 2002 on the School Playing Field 1, again this would have

interrupted use of the Claimed Route. The report does acknowledge that they had problems with dog mess, dog walkers would not leave the land when requested and that they encountered specific problems from a dog named Tyson and its teenager owners joining in on the school's football game or chanting inappropriate instructions to the school children. For these problems the football club ended. It is clear that unauthorised dog walkers and teenagers once asked to leave were using the land by force.

36. A further sufficient interruption was the fact that the football goalposts and pitch on the School Playing Field marked 1 sited at the border of the field with the yellow area marked 4a on the Plan, at the point at which the claimed path takes a diagonal route across the School Playing Field 1 see plan at **MS1(29)**, the plan provides a view of camera and location of goalposts shown with a circle and photograph **MS1(29)** corroborates the position of the goal posts. It is submitted the goal posts and the pitch itself, being crossed by the alleged Claimed Route, would have sufficiently interrupted user using the defined line. Further, it is clear that there is a further informal access point south on field marked 4a see **MS1(3)** point I and photographs at **MS1(16)**.

37. Prior to the fence and gate erected in 2008 which brought the Claimed Route into question, the School has submitted evidence of the fence which previously existed, the old fence ran the length of the right hand side of the area marked 1 and in the same location as the new fence (shaded brown on the Plan) shown in photographs **MS1(29)**. Whilst there were no gates at the time of the photograph, photograph **MS1(17)** at point E shows an old stone gatepost near point E and it is submitted that a gate had previously existed in that place which would have interrupted use of the Claimed Route.

'...AS OF RIGHT...'

38. Use has to be nec vi (without force), nec clam, (without secrecy), and nec precario (without permission). Use nec vi and nec precario are considered below.

With permission

Dual use path on School's Land

39. The Claimed Route from B (Bowerham Road) to G marked on the Plan has always since the time the school was constructed been a permissive path for the public to use and in particular was used by parents and school children from the Hala estate. The School has always maintained it as a permissive path and more recently and prior to the Claimed Route being called into question, allowed Lancaster City Council to construct a dual use path. It is confirmed that there were no landownership Notices erected on the permissive path, the path being constructed and maintained for use by the public, use of the path was with permission, not 'as of right'. This is further corroborated by the fact a Notice existed at the entrance of the School Playing Field marked 1.

40. Permission had been given by the Objector for football and other sporting events to take place on the Barton Playing Field and the School Playing Fields.

By force

41. School teachers told unauthorised persons on the School Playing Field marked 1 to leave the School Playing Field and it is submitted that unauthorised use would continue by force, School teachers being intimidated

to confront further as the presence of school children put them in the vulnerable position.

42. Further, the two Notices that were erected on the Barton Road Playing Field (see below for details), one at point A and the other opposite Wakefield Drive were pulled down without permission, it is submitted the public understand the implication of the Notice, that the public were deemed trespassers and were unauthorised to use LO Land, the public did not like the LO asserting its control over its land and whilst pulling one of the Notices down, the LO re-erected the Notice see **LO12**, again reiterating and asserting its ownership and control of the Land edged red. It is submitted that any subsequent use was by force.

"CONTRARY INTENTION TO DEDICATE"

43. Whilst the LO submits that the first limb of the statutory test fails it further submits that MFCG must fail at the second hurdle, it is submitted that the Landowner throughout the relevant period can evidence contrary evidence to dedicate.

NOTICES

Barton Road Playing Field

44. Throughout the relevant period, signs have been erected notifying the general public that the Land is private property and those trespassing or causing a nuisance, including the playing or practising of games or sport and the exercising of animals on the Barton Road Playing Field would be committing an offence ("the Notice").

45. The Notice, throughout the relevant period appears three times on the Barton Road Youth and Community Centre. One on the Barton Road elevation, one to the playing field gable end and one on the opposite gable end of the building facing Brookside. Pictures of two of the Notices are shown at **MS1(12)**. At **LO3(1)** Richard Wood ("the Grounds Maintenance Manager") confirms in his evidence that the two signs on the Barton Road and the playing field side of the building have been in existence *"as long as I can remember"*. It is submitted the signs existed during the whole of the relevant period 1988 to 2008.

46. The Grounds Maintenance Manager further confirms that the same Notice with the same wording was erected at two of the access points onto Barton Road Playing Field. The three access points have been marked with a black cross on the Plan. One informal access is at point A of the alleged Claimed Route, the second opposite Wakefield Drive and the third at the south of the Barton Playing Field. The Notice at point A on the Plan and opposite Wakefield Drive were erected in 2005 see **LO8** and whilst the reason for erecting the Notice was fuelled by the problems with golf balls see **LO8** it is clear from the Grounds Maintenance Manager, the LO and the Notice itself, that the LO was not just dealing with the golf ball problem but took the opportunity to yet again assert its full control over its land. The LO confirms that the same Notice was also erected at the third informal access near Lentworth Drive prior or on 2005, the Notice has and still remains erected see **MS1(12)**.

47. The Notice on the Barton Road Youth and Community Centre and at the three informal access points read as follows:

LANCASHIRE
COUNTY COUNCIL

"THESE PREMISES/GROUNDS ARE PRIVATE
AND FOR THE USE ONLY OF AUTHORISED
PERSONS CONNECTED THEREWITH.
PERSONS TRESPASSING OR
OTHERWISE CAUSING A NUISANCE OR
DISTURBANCE, INCLUDING THE
PLAYING OR PRACTISING OF GAMES
OR SPORT, AND THE EXERCISING
OF ANIMALS ON THESE PREMISES
ARE COMMITTING AN OFFENCE AND
MAY BE LIABLE TO PROSECUTION

48. The wording of the Notice is entirely consistent with a landowner wishing to assert its control over the land in question.

49. It would have been obvious to anyone entering the Barton Road Playing Field that this was owned by the LO with 'Lancashire County Council' underlined. Secondly, any reasonable person would have read the sign as meaning that authorisation or permission from the Landowner would have first been required to use the Barton Road Playing Field and the LO Land for any purpose.

50. Thus, the only sensible way to read the Notice would be as evidence that the Landowner had absolutely no intention of allowing the public at large to use the Barton Road Playing Field marked 5 and the land marked 4a and 4b, 1, 2 and 3. It is only reasonable to accept that the public at large would have understood that if a piece of land (Barton Road Playing Field) is private property and permission is required to use it in any way, and that private land

leads to adjoining fields (4a and 4b, 1,2 ,3) that those adjoining fields too are private property and the Landowner has absolutely no intention to dedicate.

51. The detailed wording of the Notice makes it clear that LO's Land was private property; that only people with permission from the Landowner could come onto it; that any use had to be connected with the private use of the land; and that trespassing and persons causing a nuisance or disturbance, including the playing of games and the exercising of animals would be committing an offence and liable to prosecution.

School Playing Field marked 1

52. Further, Michelle Dent, a teacher at the School since 1995 recalls in her evidence at **MS1(29)** that there was a Notice erected at the entrance of the School Playing Field marked 1, as marked with a 'N' on the Plan. Ms Dent confirms that the sign confirmed ownership of the School field and states *"...The older sign stated it was a school playing field. I remember it was old, there was also an old fashioned bin, metal slats with metal bin inside, old school ones..."* Evidence of the existence of the Notice is further corroborated by the evidence of School teacher Gail at **MS1(28)**. It is submitted, in this context particular – and context is critical – accepting the Notice was on the School Playing Field, that it would have been obvious to anyone entering the School Playing Field that it was at least managed if not owned by the School, secondly, any reasonable person reading the Notice would have understood, the Notice sited on the School Playing Field, authorisation or permission from the School would have first been required to use the School Playing Field for any purpose.

53. As such, all Notices are sufficient to rebut any presumption of dedication.

MFCG'S KNEW PERMISSION WAS REQUIRED TO USE THE LO LAND

54. It is submitted not only would a reasonable user have understood that the Landowner had no intention to dedicate the LO Land but further MFCG, actually knew and understood and actually obtained the express permission of the School for use of the Land, see **MS1(33)**.

55. Mike Worth, Chairman of the MFCG, explains the MFCG is made up of, chairman, secretary, treasurer and six elected committee members and has a total membership of 70 members and continues to state "...3 We have identified various sources of funding and professional assistance to achieve the aim of the group: which is "to enhance the area known as Moorside Fields, as a community resource and conservation area...4 One of the tasks within this aim requires the permission and co-operation of the school".

56. It is submitted, MFCG understood that the LO Land was LCC owned and further that the School Playing Field was in the control of the School and permission was required and further the co-operation of the school was needed. For MFCG to assert that they did not understand permission was required would accept they are able to play mental acrobatics.

57. MFCG knew permission was required "to enhance the area known as Moorside Fields, as community resource and conservation area" ("MFCG") and it is submitted that MFCG would not be able to assert that permission was not required in respect of the Claimed Footpath, again to hold otherwise is to

say they are able to play mental acrobatics, MFCG knew permission was required for 'any' use including using the LO Land as a short-cut and it was clear to MFCG that the Landowner had absolutely no intention to dedicate.

58. The LO respectfully request the Regulatory Committee to consider the law on this principle, that is, if a user and in context in this particular matter MFCG as a group and the Applicant to the Claimed Route admits to LO Land being private and any use requires the School or the LO's permission, has an important bearing on the second limb of the statutory test, that is the intention of the owner is not to dedicate.

Gressingham Drive Fields

59. It is submitted that it would have been clear to the reasonable user on observing the Gressingham Drive Fields being mowed for at least 8 months each year for 12 years what the landowners intention to be, that is the Gressingham Drive Fields to be mowed with permission /licence by a farmer, being inconsistent with an intention to dedicate and the Gressingham Drive Fields not to be used by the public.

General understanding that permission was required to use the LO Land

60. It is submitted that in addition to the MFCG asking for express permission to use the LO Land from the School, there was a general understanding in the community of Moorside that the LO Land was either owned or controlled by the LO or the School.

61. This general understanding can be evidenced by various requests for permission for different activities. Permission was sought for a fireworks

display on the Barton Road Playing Field see **LO9**, a letter of complaint on 10 September 2005 after one of the standard notices was erected following the problems of golf balls etc causing a nuisance to adjacent home owners. The letter makes clear how the notice was understood, that is, the no exercising of animals or children for playing see **LO10**. A deed of grant was entered into having received a request from a landowner abutting the School Playing Fields shaded pink and marked 1 on the Plan see **LO11** again showing that the Moorside community understood there was no intention to dedicate the LO Land. School teachers asking unauthorised person to leave the School Playing Field. The Objector letting the LO Land for football and other sporting activities to take place with permission during and after School hours.

Common law

62. Dedication at common law is an alternative in case the s31 claim fails.

63. There is no map evidence to show that there was a worn path on LO's Land marked 1, 2, 3, 5 and 6. See the map evidence produced by the School at **MS1(2), MS1(13), MS1(14), MS1(16) and MS1(17)**.

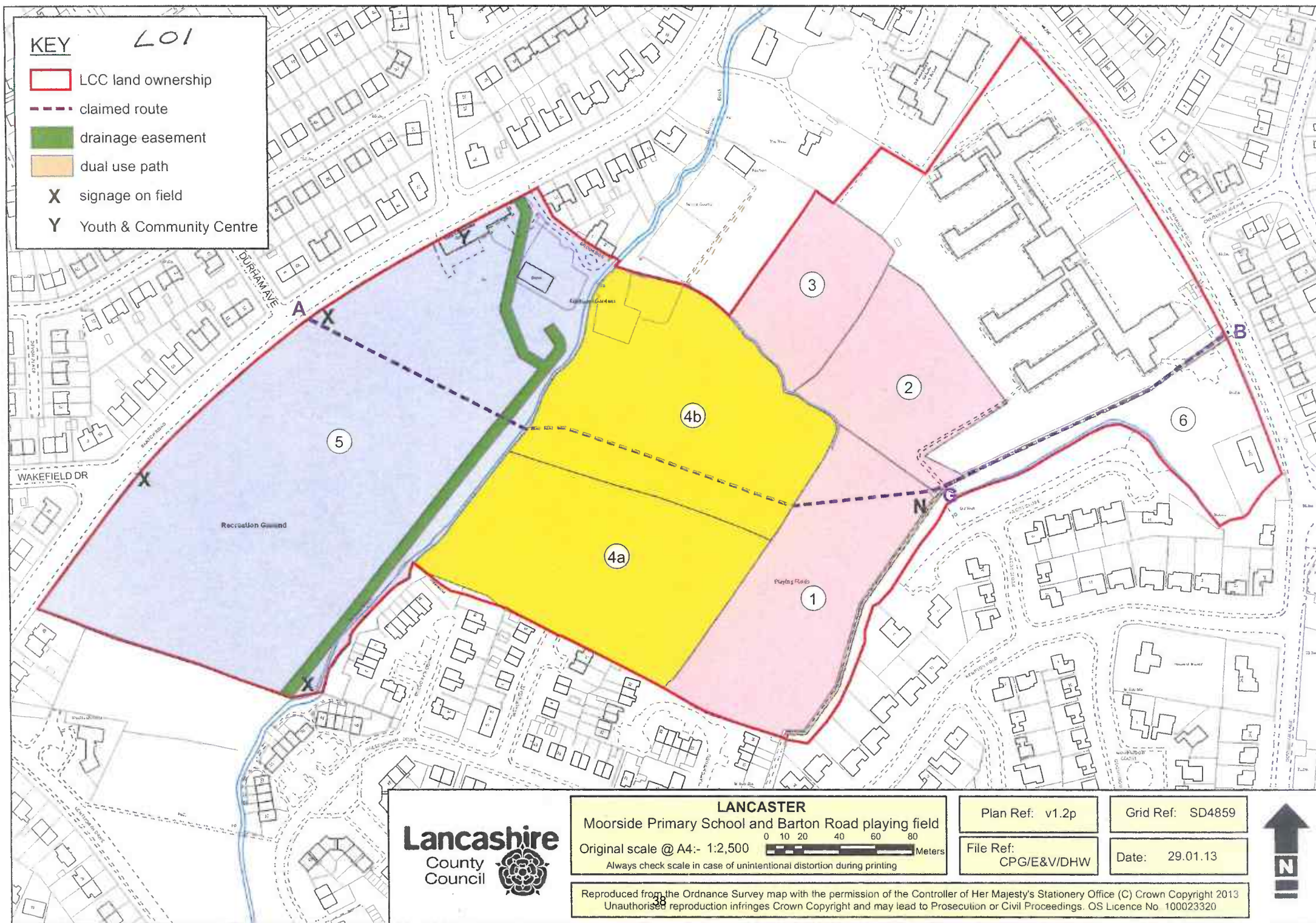
64. It is submitted that the points already raised in this objection clearly demonstrates there is contrary intention on the part of the Landowner to dedicate. The burden of proof is a heavy burden resting on the MFCG to prove the Landowner's intention to dedicate and it is submitted that the Landowner has not acquiesced in use nor is a formidable body of evidence to discharge this common law burden.

Conclusion

65. The Objector submits for the above reasons that the order be not made, there is not sufficient evidence produced by MFCG together with all the other evidence available to show that a right of way subsists or it is reasonable to allege that a right of way subsists on the following grounds;

- a. The test for statutory presumption of dedication under section 31 Highways Act is not made out, and MFCG case must fall at this first hurdle;
- b. In any event this statutory presumption is rebuttable by evidence that the Landowner did not intend to dedicate the way as a public right of way.
- c. Moreover, and for all of the reasons stated in this Objection, there is insufficient evidence of a common law presumption of dedication.
- d. Should for any reason the Registration Authority *make* the order it is further submitted that the Registration Authority cannot further *confirm* the order if satisfied *only* that the allegation of the subsistence of the way was reasonable. The Landowner submits that the Registration Authority cannot be satisfied on the balance of probabilities that the way subsists for all of the reasons and grounds stated in this Objection.

Dated this 29th day of January 2013



Walker, David

From: Wood, Ann [AWood@lancaster.gov.uk]
Sent: 28 February 2008 16:57
To: David.Walker@property.lancscc.gov.uk
Cc: Bowker, Gary
Subject: Moorside Primary school licence
Attachments: Scan4084.pdf

David

Please find attached the amended licence duly signed by Graham Cox on behalf of Lancaster City Council.

I would be grateful if you could confirm that it will be acceptable for the City Council to start work on Monday the 3rd, subject to the approval of the school. Can you please copy Gary into the response, so he is aware of what is happening.

Thank you

Ann Wood
Valuer
Property Services
Lancaster City Council
Tel: (01524) 582506

----- UK businesses use up 2 million tonnes of paper each year. Think before you print this email - do you really need to? Thank you. DISCLAIMER: DISCLAIMER:

29/02/2008

TERMS FOR A LICENCE TO ENTER ONTO MOORSIDE PRIMARY SCHOOL, BOWERHAM ROAD, LANCASTER TO ENABLE LANCASTER CITY COUNCIL TO COMPLETE WORKS FOR A SHARED USE PATH – BOWERHAM ROAD TO GRESSINGHAM DRIVE, LANCASTER

Licensor: Lancashire County Council

Licensee: Lancaster City Council

- Other Terms:**
1. The Licence is to enable the Licensee to enter onto the Lancashire County Council owned Moorside Primary School in Lancaster to complete the design works contained in Plan No. 7716-01-AM1. This involves all preparation works/tree works etc.
 2. The costs of the works shall be the liability of the Licensee.
 3. The works shall be carried out to the satisfaction of the Lessor's Environment Director and shall in all respects be executed in a good and workmanlike manner in conformity with all codes, standards and best practice and strictly in accordance with the drawings and specifications now submitted.
 4. The Licensee shall have obtained all necessary consents to comply as may be necessary with Statute Bye Laws or other applicable requirements. The Licensee to comply with any condition imposed.
 5. The Licensee shall indemnify the Licensor from and against all actions, costs, claims, losses, demands, damages and liabilities whatsoever and howsoever arising out of or in connection with or by reason of the carrying out of the works or any part thereof and shall insure or cause to be insured such risk to be reasonable satisfaction of the Licensor or their Surveyors.
 6. The Licensee is to reduce inconvenience to any adjacent occupiers to the minimum possible.

7. Where applicable, the Licensee shall liaise with Site Supervisors or any other duly authorised representative of the School with regard to the works.
8. If, for whatever reason, the Environment Directorate fails to adopt the dual use footpath, then the City Council will obtain funding for the path's future maintenance until such time as the footpath is brought up to an adoptable standard.
9. The Licensee's representative stipulates the acceptance of the Licence Terms by signing and returning one copy of the Terms.

Signed:



Date:

28/2/08

21 February 2008
PG/UE/DHW/1/51 – JCET

Walker, David

From: Walker, David
Sent: 01 February 2010 12:03
To: Amrith, Ravinder
Subject: FW: Moorside Primary.pdf - Adobe Reader

Ravinder,

In a previous e-mail you asked for detail on when the gate was erected that has caused all the issues at Moorside Primary School.

Please find below the response from the Contract Manager at Lancaster City Council who has given the detail of the dates involved.

Hope this helps

Regards

David Walker MRICS
Estates Surveyor
01772 533874

From: Bowker, Gary [mailto:GBowker@lancaster.gov.uk]
Sent: 29 January 2010 18:25
To: Walker, David
Subject: RE: Moorside Primary.pdf - Adobe Reader

David,

I am aware there is 'an issue' with dog walkers but would rather be kept out of it!.....however.....Having wiled away some time reading through the diaries of our site manager I have ascertained the following:

- The bow top fencing between the path and the field were completed during the week commencing 12th May 2008

There was a delay on the gate (made to measure!)

- Gate finally installed (and locked up) on Thursday 3rd July 2008.

Installation of the gate was the last job carried out on the site - other remedials having been completed in the days leading up to it.

Hope this helps

regards

Gary

Gary Bowker
Project Engineer
Planning Services (Engineering & Projects)
Lancaster City Council
tel: 01524 582629 mob: 07766 928083
www.lancaster.gov.uk

01/02/2010

Walker, David

From: Wood, Ann [AWood@lancaster.gov.uk]
Sent: 26 February 2007 14:48
To: David.Walker@property.lancscc.gov.uk
Subject: Grosvenor Park School

David,

Further to our e-mails about our cycling scheme and in particular Grosvenor Park, please find attached a letter from the Head teacher after our meeting with him on the 8th of February.

Also attached are draft plans for the scheme at Our Ladies RC School and Moorside Primary School, Bowerham. It would probably be best if we could meet along with our Project Manager on this scheme to go thro' the proposals. Can you let me know when you are next this way, as we would like permission to do some tree work, can we meet soon?

Ann Wood
Valuer
Property Services
Lancaster City Council
Tel: (01524) 582506

UK businesses use up 2 million tonnes of paper each year. Think before you print this email - do you really need to? Thank you.

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MEMORANDUM from DIRECTOR OF PROPERTY

Please ask for	David Walker	To	EXECUTIVE DIRECTOR FOR
Extension	33874		CHILDREN AND YOUNG
Our ref	PG/UE/DHW/1/15/LK		PEOPLE
Date	4 July 2007		Buildings & Development (FAO Julie Blackburn)

MOORSIDE PRIMARY SCHOOL, BOWERHAM ROAD, LANCASTER

I refer to previous discussions regarding the cycleway provision proposed for Moorside Primary School, Lancaster (1/15).

I have now received the Notice under Article 7 form from Lancaster City Council which details the fact that a planning application has now been submitted for the Moorside Primary School's shared use footpath.

I attach two copies of the plan which supports the Application and presume you may need to pass this on to the School.

It would appear from the comments that the School have been involved in the proposals, and therefore I presume they are aware that there are trees to be lost at the Gressingham Drive end of the scheme.

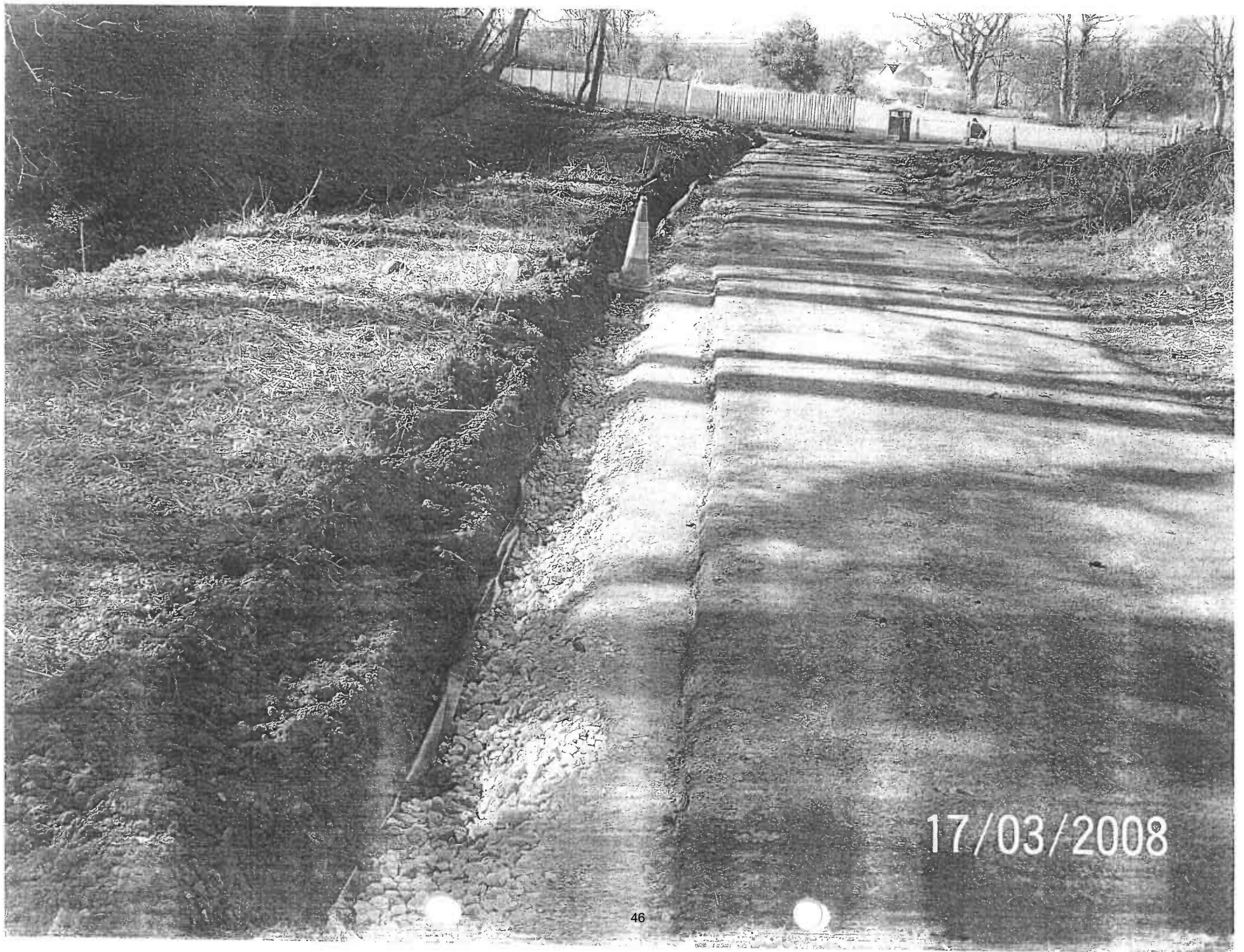
The plan shows in dark brown the areas that Lancaster City Council wish to 'acquire', although we are now looking at transfer of use to the Environment Directorate.

Clearly, if there is anything you wish to comment on please let me know and I will take this up with the City Council.

2.1

Estates Surveyor
on behalf of the Director of Property

Attachment



David

I've looked at the Plan v1.2p you provided me and can provide the following information.

I have worked for Lancashire County Council since August 2005. I am an 'Area Support Officer' for grounds and cleaning for county establishments and county schools in the north of the County. My role involves managing grounds maintenance contracts on behalf of the schools and county owned land and includes me checking as and when works are completed to ensure maintenance is as per the contract.

Prior to working for Lancashire County Council I had the role of both an operative and a manager within the 'Grounds Maintenance Department' at Lancaster City Council from 1983 to 2005. I also have personal knowledge of Lancashire County Council's land edged red as I spent time, between 1975 and 1978 as a teenager, on evenings, weekends and during school holidays with my auntie who lived at number 44 Barton Road just opposite the formal access point where the community centre stands.

Barton Road Playing Field shaded blue and numbered 5

Since working for Lancashire County Council I have managed the grounds maintenance contract for the Barton Road Playing Field site with the Lancashire County Commercial Group. I attach a copy of the grounds specification at LO3(2) with the site specific works that are undertaken on these sites LO3(3).

There are now five access points onto the Barton Road Playing Field. One formal access is opposite number 44 Barton Road (where my auntie lived) at the side entrance of the Barton Youth and Community Centre. At this formal access point, there are two signs on the building for the Youth and Community Centre, one on the front of the building and the second on the right side of the building facing the Barton Playing Field and these being there for as long as I can remember, as photographed in the School's evidence.

There is one informal entrance off Brookside through the car park for the community centre.

There are a further three informal access points on the Barton Road Playing Field. One at point A on the Plan, the second opposite Wakefield Drive and the third at the south of Barton Road Playing Field near Lentworth Drive, each marked with a black cross on the Plan. I remember problems at the two entrances off Barton road clearly as just when I started work for Lancashire County Council August 2005, the same worded signs erected on the Barton Youth and Community Centre were erected at these two informal access points because there had been specific problems with golf balls breaking the windows of nearby houses on Barton Road. I recall some people were unhappy as they just wanted the problem with ball games to be addressed however, Lancashire County Council asserted its full control over its land, highlighted

it was private and those using the land were trespassers and prohibited dog walking and the playing of sports etc. The signs were vandalised by people who did not like us doing this.

There are still two marked football pitches on the Barton Road Playing Field that are rented out to several football teams yearly during the football season September to May and these are used late afternoons/evenings and weekends and these have been marked out since at least 1977 and probably since the former Greaves School was first opened. And across the ground where the claimed footpath is, there used to be a hockey pitch (that looks very similar to a 7 aside football pitch) and also a cricket strip was situated next to this near to the hockey pitch and these were used until the greaves school closed in the early 80's. The primary schools that are allowed to use this field may have used the facilities up until the late 80's early 90's but I cannot be certain of this.

The current Grounds Maintenance of the hedges and the marking out of the football pitches etc occurs at least twice a year, with regular fortnightly mowing of the grass from March to Oct.

Gressingham Drive Fields shaded yellow and marked 4a and 4b

As far as I remember from 1983 to 2001 a farmer under an agreement with Lancashire County Council mowed the fields coloured yellow, and took the grass cuttings for animal feed at his farm. You can see from the google map provided by the School in its evidence that the grass was mowed.

School Playing Field shaded pink and marked 1, 2 & 3

Since working for Lancashire County Council I have managed the grounds maintenance contract for Moorside Primary School for the land shaded pink 1, 2 and 3 and the maintenance contract has been awarded to Lancaster City Council to date. I attach a copy of the grounds specification at LO3(2) with the site specific works that are undertaken on the site at LO3(4).

I know from dealing with the Landowners land edged red on the Plan that the School Playing Field marked 1 was used frequently by the School including the claimed period from 1988 to 2008 and included marked out running lanes and rounder's pitches which were marked out and used from April until August, football pitches were then marked out and used from Sept to April. The pitches are all crossed by the claimed footpath which would have interrupted the line walked every month of each year.

These areas are mowed fortnightly in the period March to Oct each year. With markings remarked as and when required to keep them visible for the appropriate activities.

School Grounds shown white and marked 6

Area 6 is also Lancashire County Council owned with the maintenance responsibility being delegated to Moorside Primary School (apart from the children's home who do their own maintenance but which is included in the outline drawing of LCC owned land) and has been maintained regularly at the same time as the fields to include regular grass cutting and weed control. As far back as I can remember the path marked on the Plan was installed for permitting public use and made access to and from the school easy for children from the Hala Estate.

In my frequent visits to the Barton Road Playing Fields and the Moorside School Playing Fields to check on the works being undertaken as per the contract specifications, and to carry out additional visits for extra works I have carried out on these areas I can say that I have never seen anybody specifically walk the line of the path claimed on the Plan on the School Playing Field and the Barton Road Playing Field, people have usually walked around the fields usually with dogs but not keeping to the path claimed. Area 4 has a defined route which is part of a network of other paths which lead to various other access points such as Bishops Gate and Gregory's Court and back across the stream at the south end of this area, this worn path is not evident in areas 1, 2 and 5.

Richard Wood

Area Support Officer

Lancashire County Council

28 January 2013

LANCASHIRE COUNTY COUNCIL
GROUNDS MAINTENANCE SERVICES
SPECIFICATION

INDEX

1. STATIC GROUNDSPERSON
2. MAINTENANCE OF GRASS AREAS
3. MAINTENANCE OF PLANTED AREAS
4. MAINTENANCE OF TREES
5. MAINTENANCE OF HEDGES
6. PROVISION OF SPORTS AND GAMES FACILITIES
7. PLAYGROUND AND HARD SURFACE AREAS
8. MAINTENANCE OF PARTERRE
9. DRAINAGE - DITCHES AND STREAMS

APPENDIX 'A' - TRAINING GRIDS

1. STATIC GROUNDSPERSON

- (a) The Contractor shall determine the methodology, organisation, materials and equipment required to deliver the services required, unless otherwise specified within the Detailed Service Specification.
- (b) Where indicated on the Site Details, the Contractor shall provide a static groundsperson including the machinery, materials and support required to carry out the maintenance specified within the Detailed Service Specification and indicated on the site profiles which is relevant to a static groundsperson and as detailed in paragraph (c) below.
- (c) The static groundsperson will undertake specified routine maintenance tasks to the following areas/facilities:
 - (i) the immediate vicinity of the school buildings, ie maintenance of lawns, beds and borders, hedges, hard areas;
 - (ii) maintenance of cricket squares (where they exist);
 - (iii) maintenance of jumping facilities (where they exist);
 - (iv) marking of winter and summer grass sports pitches

The static groundsperson shall not undertake routine specified maintenance tasks to the following area/facilities:

- (i) playing fields and their surrounds, eg gang mowing and back-up mowing, spiking, chain harrowing, fertilising, etc;
- (ii) playing field hedge cutting;
- (iii) maintenance and marking of Synthetic Sports Pitches and HPP areas.

Final details of the routine specified tasks to be undertaken by the static groundsperson on each individual establishment, will be agreed between the Authorised Officer, Head of Establishment and the Contractor prior to the commencement of the contract.

- (d) In addition to the routine specified maintenance tasks indicated above, the groundsperson shall also be available within the times specified to carry out other grounds maintenance related activities, including litter collection at the request of the head of the establishment, along with the tools and equipment provided for routine specified maintenance works. Any materials required to carry out other work at the request of the head of the establishment will be subject to a separate order or may be provided by the establishment concerned.
- (e) The groundsperson shall have a high level of competence and experience in all aspects of groundsmanship or horticultural maintenance, particularly fine turf. The Contractor shall provide full details of the proposed static groundsperson's qualifications and experience to the Authorised Officer, for approval, prior to being placed at the establishment.

- (f) The groundsperson shall be either already qualified to minimum PA6A Certification in the use of pesticides, or the Contractor shall ensure that the appointed groundsperson achieves PA6A Certification within a period of eight weeks of the contract commencing. If this is not achieved then the Authorised Officer may require the groundsperson to be replaced.
- (g) The Contractor shall as far as it is practicable retain the same individual groundsperson on site throughout the full term of the contract, and shall ensure that appropriately qualified and experienced personnel are substituted during periods of absence of the usual groundsperson due to sickness or holidays (subject to Paragraph 7.4 of the Standard Conditions of Contract).
- (h) Where indicated in the Individual Site Details the Contractor shall provide the site groundsperson, or his substitute, at all times whilst working on the site, with a cellular mobile telephone. The number shall be made available to the Authorised Officer and the Headteachers of the schools concerned.
- (i) Facilities may be provided on the sites indicated in paragraph (b) to accommodate the storage of small items of equipment, hand tools and non-toxic materials, at the discretion of the head of the establishment.
- (j) The static groundsperson shall be provided during the hours and on the days and periods of the year detailed on the individual site details. Unless otherwise indicated on the site details the exact days will be agreed with the Contractor and the establishment concerned and remain constant throughout the period of requirement.
- (k) Any additional requirements by the establishment must not take priority over any specified activity, which may affect the timings or quality as detailed, unless otherwise agreed by the Authorised Officer.

2. MAINTENANCE OF GRASS AREAS

2.0 General

- (a) Grassed areas are as indicated on the site details.
- (b) Mowing shall commence at the beginning of the second week of March and continue through to the end of October, inclusive.
- (c) Mowing must be carried out to give as many cuts as are required to maintain the grass to the specified heights and within the maximum length of grass allowed between cuts. The number of cuts required may vary depending on weather and individual soil conditions.
- (d) If the Contractor fails to maintain the grass within the specified heights, whether this is a result of the Contractor's failure to conform to the specified standard, or of adverse site conditions preventing the Contractor carrying out work, the Authorised Officer may, at his absolute discretion and without prejudice to any other remedy available to him require the Contractor at his own expense, to collect and remove from site all excess grass clippings.
- (e) If, at the end of October, any site exceeds the specified height, before which the grass should be cut, the site shall be deemed not to meet the specified standard. The Authorised Officer may, at his absolute discretion, and without prejudice to any other remedy available to him, require the Contractor to cut any such site during the 'out of season' period, as conditions permit, in order to return them to the required standard. Clause 2.0(d) will apply in all cases.
- (f) If, at the commencement of the cutting season at the beginning of the second week in March, and as a result of growth during the period from the end of the previous October, the grass has grown beyond the specified height before which it should be cut. The Authorised Officer may, at his absolute discretion allow the Contractor a period, not exceeding three weeks, to bring all such sites up to the required standard. After this period, Clause 2.0(d) will apply.
- (g) Mowing will take place to the full area of grass at the site, up to the paving, fencing and any other boundaries, including all corners and restricted areas between and around trees, planting and other obstacles.
- (h) Mowing shall be carried out so that all grass cuttings are evenly distributed with no accumulations or heaps of grass left. All grass shall have an even finish, be cleanly cut, and not torn, all cuts shall overlap. The finish shall be free of ribbing, skids, ruts, excessive tyre marks and no tufting or divots, and there should be no damage to the surface levels and contours of the ground, and no excess grass cutting divots from the rollers or cutters.

- (i) If the Contractor suspends grass cutting on any site due to ground or weather conditions, the Authorised Officer must be informed within 24 hours of sites or parts of sites not cut as a result of such conditions, and also when these sites are re-scheduled to be cut. Clause 2.0(d) will apply.
- (j) Grass cuttings falling on to paths, drives, entrance-ways, car parks synthetic sports facilities, hard porous areas and run-ups shall be swept clear immediately on completion of mowing operations.
- (k) Pedestrian operated mowers must be used where specified and on areas inaccessible to ride on mowing equipment such as gang or triple mowers.
- (l) The Contractor shall include for strimming or shearing around obstacles necessary to maintain the same height and standard as surrounding grass.
- (m) Any of the operations identified in (k) and (l) above shall be co-ordinated so that all the various back-up mowing operations on individual sites are completed within the same working day as the mowing operations, which they are supporting.
- (n) The timing of grass cutting operations shall be as far as is practicable such that cutting precedes the marking of any sports facilities where the markings would be affected by the passage of the cutting machinery used.
- (o) In certain areas, flowering bulbs have been planted or have become naturalised. As far as is possible, such areas have been identified on the "Site Details", but this information cannot be regarded as being complete. In such areas, the Contractor shall not cut the grass until a period of 6 weeks has elapsed after completion of flowering, and the Authorised Officer shall be consulted before cutting commences. In these areas the Contractor will be responsible for the removal of any cuttings so as to bring the area to the standard found in the surrounding area without additional cost to the Council.
- (p) Prior to undertaking any grass cutting operations, the Contractor shall inspect all areas to be mown and remove all significantly large stones as well as any paper, tins, bottles and other debris. All such materials collected shall be removed from site and properly disposed of.
- (q) The Contractor shall take all reasonable precautions to avoid nests of ground nesting birds, e.g. Lapwings, Skylarks. Any nests which his staff identify or are identified to him by the Authorised Officer or Head of Establishment shall be avoided during maintenance operations until the young have left the nest.

2.1 Regular Grass Cutting (as indicated on Site details)

Gang Mow and Cylinder Areas

- (a) These areas shall be mown using cylinder mowers approved by the Authorised Officer. Care must be taken to avoid specified or designated areas for specialist/sport activities which may require an alternative method of grass cutting, as detailed in subsequent paragraphs.
- (b) Before grass attains a height of 50mm, cut to between 20-25mm ensuring the cuttings are distributed evenly.
- (c) Where indicated in the site details from mid August until the end of the playing season reduce height of cut to 18-20mm on hockey pitches, using ride on triple mowers or pedestrian mowers as conditions allow.

During this period the grass shall be cut before it attains a height of 25mm and all divots must be replaced before each cut

Where specifically indicated in the site details this will be carried out using an approved heavy pedestrian roller-driven cylinder mower.

- (d) From the commencement of the cutting season until the end of September, cricket squares shall be box mown using an approved 10 bladed rolled cylinder mower. During this period the height of cut on these areas shall be 12-15mm, and the grass shall be cut before it attains a height of 25mm.

During the close season (beginning of October to the first week in March), the grass shall be maintained to a height of 25mm when conditions are favourable and using equipment approved by the Authorised Officer.

- (e) Where indicated in the site details, cricket outfield shall be maintained during the playing season so that grass does not exceed 25mm. The extent of the cricket outfield shall be agreed with the Head of Establishment.
- (f) From the commencement of the Summer Term until the end of the Summer Term, cricket strips shall be box mown using an approved rolled cylinder mower. During this period, the height of cut on these areas shall be 12-15 mm and the grass shall be cut before it attains a height of 25mm.
- (g) Where identified in the individual site details, and indicated on the site plans, some cylinder areas shall be maintained so that the grass is cut before it attains a height of 25mm, and shall be cut to a height of 12-15mm. Mowing of cylinder areas shall be carried out using approved pedestrian roller driven cylinder mowers.

- (h) Where identified in the individual site details and indicated on the site plans some cylinder areas shall be box mown using approved pedestrian roller driven cylinder mowers. These areas shall be maintained to the heights specified in paragraph 2.1(g).
- (i) Where identified in the individual site details and indicated on the same plans, some cylinder areas shall be mown, to the routine specified heights indicated in 2.1(b), using pedestrian roller driven cylinder mowers. Ride on mowers will not be permitted.

Lawn Embankments

- (j) Lawn embankments shall be mown using equipment approved by the Authorised Officer.
- (k) Before grass attains a height of 50mm cut to between 20-25mm ensuring the cuttings are distributed evenly
- (l) Where identified in the individual site details, and indicated on the site plans, some lawn embankments shall be maintained so that the grass is cut before it attains a height of 25mm and shall be cut to 12-15mm.

2.2 Occasional Grass Cutting (as indicated on site details)

(a) Playing Field Embankments

Whenever the grass attains a height of 75mm, cut to 25mm ensuring cuttings are distributed evenly.

(b) Rotary Mow Areas

- (i) Before the grass attains a height of 75mm, cut to 50mm ensuring cuttings are distributed evenly.
- (ii) Where identified in the individual site details, and indicated on the site plans some rotary mown areas shall be maintained so that the grass is cut before it attains a height of 50mm, and shall be cut to 20-25mm ensuring cuttings are distributed evenly.
- (iii) Where identified in the individual site details, and indicated on the site plans some rotary mown areas shall be box mown. These areas shall be maintained to the height specified in paragraph 2.2 (b) (ii).

2.3 Rough Grass Cutting on Plantation, Woodland, Environmental Areas and Undeveloped Areas (as indicated on site details)

- (a) Cut grass and other herbage to 75mm ensuring cuttings are distributed evenly. One or more cuts per year may be required as detailed in the individual site details. Cutting shall take place evenly spaced during the following periods.

- (i) One cut per annum - September
 - (ii) Two cuts per annum - June and September
 - (iii) Three cuts per annum - May, July and September
 - (iv) Four cuts per annum - April, June August and October
 - (v) Seven cuts per annum - April-October inclusive
- (b) Where identified in the individual site details, some plantation, woodland, environmental or undeveloped areas may only require leaf and litter clearance. This shall be carried out once per year in January, and all debris, leaves and litter will be cleared from the area and properly disposed of off site.
- (c) Where identified in the individual site details, some plantation, woodland, environmental or undeveloped areas will require 'weed-control' only. Apply a herbicide approved by Authorised Officer during April to the areas indicated, and then again to spot treat any weed growth throughout the remaining growing period, ie May-October as required. Ensure herbicide is kept clear of grassed areas and does not drift onto any young trees or required plants. The provisions of paragraph 2.5 will apply.

2.4 Grass Edging

- (a) Trim edges of grass areas where these abut shrubberies, rose/herbaceous beds, soil channels, or tree circles regularly throughout the growing season, using shears or approved mechanical means, ensuring the area is neat and tidy in appearance and that growth does not exceed 25mm before trimming. All clippings shall be collected and removed from site, and all paths swept clear.
- (b) Edge back with a suitable edging tool (half moon) on 1 occasion per year (outside the mowing season, in late Autumn) to all grass areas where these abut shrubberies, paths, manholes, sports facilities, trees etc., ensuring clean straight lines or smooth flowing curves. Where appropriate draw back soil to permit use of edging shears and remove all arisings from the site.

2.5 Herbicide Treatment On and Around Grass Areas

General

- (a) All herbicides must be M.A.F.F. approved products and all chemicals must be approved by the Authorised Officer in writing prior to use. NO APPLICATIONS MUST BE MADE PRIOR TO APPROVAL BEING GIVEN.
- (b) All herbicides must be stored and applied as specified by the manufacturers' instructions/recommendations, and in accordance with the provisions of the Food and Environmental Protection Act 1985 (Control of Pesticides Regulations, 1986), and the Control of Substances Hazardous to Health Regulations, 1988.

- (c) All persons applying herbicide must be in possession of the appropriate NPTC Certificate of Competence for the method of application they are undertaking. The names and copies of the Certificates of Competence must be forwarded to the Authorised Officer for approval before any applications are made.
- (d) The head of each establishment (or other responsible person) **MUST** be informed, and agree to the timing, of all operations prior to application, and informed of the potential hazards.
- (e) On school sites, all herbicide applications must be undertaken only during school holidays or out of school hours, unless agreed with the head of the establishment.
- (f) Prior to carrying out any application of herbicide the contractor will present the Authorised Officer with his written working programme, giving two days notice and updating the Authorised Officer in writing on a weekly basis. The progress of herbicide application will be reported daily.
- (g) Herbicide application shall not take place during adverse weather conditions or when rainfall is expected in a time period which is less than that specified by the manufacturer of the chemical being used.
- (h) The Contractor must at all times prevent spray drifting onto environmental study areas, ponds, streams, swimming pools and adjoining property.

Perimeter Weedkilling/Fencelines

- (i) A strip at least 150mm wide should be mown adjacent to fencelines, railings, buildings, walls, trees and other obstacles immediately prior to application of herbicide. Apply herbicide (approved as in 2.5(a) above) to create a 'mowing strip' 100-150mm wide around the obstructions identified and to keep the base of all fencelines and railings free of vegetation. This may require more than one application during the growing season dependent on material approved. On a limited number of Education Sites (identified in the site details), no pesticide/herbicide applications are to be undertaken. At these sites grass cutting operations around obstructions and adjacent buildings, walls, trees and other obstacles shall be carried out right up to the obstructions and physical barriers, by approved mechanical means, in order to maintain the grass height within the specified lengths for the grassed areas of which they form an integral part.

Selective Weedkilling of Cylinder Areas and Lawn Embankments

- (j) Where identified in the site details, the Contractor shall apply an approved selective herbicide to the cylinder areas and lawn embankments as identified on the site details. The herbicide shall be applied on one occasion during April as agreed with the Authorised Officer.

- (k) The method of application shall be agreed with the Authorised Officer and the Contractor shall ensure that the whole area is treated and shall not mow the treated areas within three days of application.
- (l) Paragraphs 2.5 (a) - (h) will apply.

Selective Weedkilling of Playing Fields

- (m) Where identified in the site details, the Contractor shall apply an approved selective herbicide to all gang mown areas. The herbicide shall be applied on one occasion during April as agreed with the Authorised Officer.
- (n) The method of application shall be by tractor mounted boom sprayer or other equipment approved by the Authorised Officer. The Contractor shall allow not less than 100mm overlap on each pass ensuring the whole area is treated.
- (o) The Contractor shall take care not to treat any recently renovated goal areas etc., and shall not mow the treated areas within three days of application.
- (p) Paragraphs 2.5 (a) - (h) will apply.

2.6 Spiking of Grass Areas

- (a) Where identified in the site details, cylinder areas shall be 'spiked' in April and October using a fine turf slit tine spiker approved by the Authorised Officer, giving a minimum penetration depth of 100mm. The Contractor shall allow at least 100mm overlap on each pass.
- (b) Where identified in the site details, Winter sports pitches shall be 'spiked' in April and October, using machinery approved by the Authorised Officer with slit or solid tines of between 150-230mm in length giving a minimum penetration depth of 150mm. The Contractor shall allow at least 300mm overlap on each pass.
- (c) Prior to carrying out any spiking, the Contractor shall present the Authorised Officer with his written working programme, giving minimum 5 days notice.

2.7 Scarifying of Grass Areas

- (a) Where identified in the site details, cylinder areas as identified on the site details, shall be scarified in April and October, using a self propelled scarifier approved by the Authorised Officer.
- (b) Scarifying shall be carried out twice in different directions to remove thatch, dead grass, leaves and stems. All arisings to be boxed off.

- (c) Prior to carrying out any scarifying, the Contractor shall present the Authorised Officer with his written working programmes, giving minimum 5 days notice.

2.8 Fertilising of Grass Areas

- (a) Where identified in the site details, cylinder areas shall be fertilised during April using a fine turf mini-crumb high nitrogen fertiliser of 14:2:4 at 35gms/m².
- (b) Where identified in the site details, cylinder areas shall be fertilised once during September using a fine turf mini-crumb low nitrogen fertiliser of 6:4:12 at 35gms/m².
- (c) Where identified in the site details, all gang mowing areas shall be fertilised once during April using a high nitrogen fertiliser of 12:6:6 at 35gms/m².
- (d) All fertiliser shall be applied using equipment approved by the Authorised Officer allowing sufficient overlap on each pass to ensure the whole area is covered.
- (e) Prior to carrying out any fertiliser application the Contractor shall present the Authorised Officer with his written working programme giving minimum 5 days notice and shall report progress of fertiliser application on a daily basis.

2.9 Chain Harrowing of Grass Areas

- (a) Where identified in the site details, Winter sports pitches shall be 'chain- harrowed' in April and October.
- (b) Chain harrowing shall be undertaken using machinery approved by the Authorised Officer with frame mounted triple units reversible to obtain two different depths when unfolded. The Contractor shall allow at least 300mm overlap on each pass.
- (c) Prior to carrying out any chain harrowing, the Contractor shall present the Authorised Officer with his written working programme, giving minimum 5 days notice.

2.10 Top Dressing of Grass Areas

- (a) Where identified in the site details, box mown cylinder areas shall be top dressed with an approved sandy loam top dressing, during the first week in September.

- (b) The top dressing shall be a natural screened topsoil with no harmful toxins. The percentage of clay (particles less than 0.002 mm) shall be less than 18%. The percentage of sand (particles between 0.006 and 2.00 mm) shall be greater than 50%. The percentage of stones (particles greater than 2.00 mm) shall not exceed 1%. The percentage of organic matter shall be in the range of 4% to 20%. The pH level shall be greater than 5.5.
- (c) The top dressing shall be applied at a rate of 0.25 m³ per 100 m² and shall be well worked into the grass sward to leave the blades of the grass proud and visible above the top dressing.

3. MAINTENANCE OF PLANTED AREAS

NB Some sites include within their boundaries concrete planters, which are identified in the Site Details. These shall be maintained in accordance with the provisions of this paragraph.

3.1 Fork and Weed

- (a) Between November and January (one occasion only) clear all planted areas of weed and litter and fork to a depth of 100mm taking care to minimise damage and undue disturbance to existing plants, herbs and roots.
- (b) Remove all weeds and debris from site, and avoid removing excess soil when removing weed debris.
- (c) Avoid carrying soil from cultivated areas on to paths and roadways; where this occurs it shall be swept up and removed from site.
- (d) Keep finished soil level 50mm below adjacent hard or grass surfaces so as to ensure free movement of edging shears.
- (e) Where identified in the individual site details forking and weeding will be required an additional 7 times during the growing period, once per month evenly spread during the months of April-October inclusive. Those operations will be instead of hoeing and weeding.
- (f) Where identified in the individual site details, some planted areas shall not require forking and weeding. Clause 3.4 Pruning as detailed below shall still apply.

3.2 Hoe and Weed

- (a) During the growing season (April-October) remove litter, hoe surface and remove weeds taking care to minimise damage and undue disturbance to existing plants, bulbs and roots.
- (b) This operation should take place 7 times during the growing period, once per month evenly spread during the months of April - October inclusive.
- (c) Carefully hoe around bulbs, cut back and remove dead vegetation from bulbs six weeks after flowering.
- (d) Remove all weeds and debris from site, and leave area in a neat, clean and raked condition.
- (e) Hand weeding will be required to remove weed growth where hoeing is impractical, e.g. under ground cover shrubs or to remove growth directly adjacent shrub stems.

- (f) Where identified on the individual site details, additional hoeing and weeding shall be carried out to give a total of 14 equally spaced occasions from April - October inclusive.
- (g) Where identified in the individual site details, some planted areas shall not require hoeing and weeding. Clause 3.4 Pruning as detailed below shall still apply

3.3 Mulched Beds and Borders

- (a) Where identified on the individual site details and indicated on the site plans, a number of beds and borders have a 'mulch' of bark, woodchip or similar. These beds and borders shall not receive Forking or Hoeing as indicated in paragraph 3.1 and 3.2, but shall be maintained in accordance with the following clause. Paragraphs regarding pruning shall still apply.
- (b) Between November and January clear beds and borders of litter and debris and return to the bed any mulch which has spilled onto paths, grass, or surrounding areas.
- (c) Supply and apply an additional 25mm depth of coarse graded composted bark mulch to a sample approved by the Authorised Officer, to all mulched beds and borders.
- (d) During the growing season (April - October) remove litter and debris, return any spilled mulch to the bed as in 3.3 (a) remove all weeds over 75mm in height by hand and spot treat any remaining weed growth with Glyphosate using a CDA applicator fitted with a hood. Paragraph 2.5 (a-h) will apply.

This operation shall take place 7 times during the growing season, evenly spread during the months of April-October inclusive.

- (e) Where identified on the individual site details, supply and apply a 25 mm depth of spent mushroom compost, to a sample approved by the Authorised Officer, to all mulched rose beds.

3.4 Pruning (Shrubs, Roses and Climbing Plants)

General

- (a) Pruning shall only be undertaken by competent and experienced workers using the correct tools for the works required.
- (b) Pruning and removal of branches should be carried out using sharp clean implements to give a clean sloping cut with one flat face.
- (c) Removal of branches is to be carried out by cutting flush with the adjoining stem and in such a way that no part of the stem is damaged or torn.
- (d) Cut back any growth that causes a nuisance or danger to persons or traffic, or that which obscures natural light to buildings.

- (e) Remove all suckers by cutting back level with the source stem or root.
- (f) Remove all dead branches by cutting back to an outward pointing bud, or as directed by the Authorised Officer.

Shrubs and Climbers

- (g) Remove any growth encroaching onto grassed areas, paths, roads, signs, sightlines and lights and any growth above sill level of windows or which is preventing passage of natural light through windows. cutting back to outward pointing bud.
- (h) Vary the amount and nature of thinning, trimming and shaping according to species, variety, season, stage of growth and required visual effect.
- (i) If there is any doubt or uncertainty about pruning, stop work and consult the Authorised Officer.
- (j) Where climbing plants are tied to walls or trellis, they shall be inspected on two occasions (early Spring and late Autumn) and, where necessary, tied back to screw eyes using tying wire approved by the Authorised Officer.
- (k) In addition to the pruning operations described in 3.4(g) above, pruning of individual shrubs will be carried out in accordance with one of the following instructions as detailed on the pruning schedule in paragraph (1) below.
 - A. No pruning required other than light shaping and removal of dead, diseased wood. Shaping will be carried out in late Spring, remaining pruning carried out when required.
 - B. Remove all wood which has borne flowers, retaining the young wood to ripen and produce flowers the following year. Pruning to be carried out immediately after flowering.
 - C. Remove completely one or two old stems, cut back younger flowering shoots to fresh growth of the main branches. Thin out crowded shoots and remove weak twigs. Pruning to be carried out between November and March.
 - D. In February or March cut back previous season's wood to within two or three buds of the old wood.

- (l) The following represents general guidelines for pruning. The Contractor must note that methods of pruning will differ for spp. & cvs. within Genera, and where there is doubt about the appropriate method the Contractor will consult with the Authorised Officer who will advise accordingly. Where shrubs have been incorrectly pruned, the Contractor shall make good and carry out remedial pruning, or replace the plant as deemed necessary by the Authorised Officer. Replacement/Remedial work will be carried out at the Contractor's expense, other than that resulting from acts of vandalism or theft.

Shrub Species	Pruning Instructions
Amelanchier	B
Arbutus	A
Artemisia	D
Aucuba	A
Azalea	A
Berberis	A
Budhlia	D
Ceanothus	A
Choisya	A
Cistus	A
Cornus	D
Cotinus	A
Cotoneaster	A
Cytisus	A
Deutzia	B
Elaeagnus	A
Escallonia	A
Euonymus	A
Fatsia	A
Forsythia	B
Fuchsia	D
Genista	A
Griselinia	A
Hamamelis	A
Hebe	A
Hippophae	A
Hydrangea	B
Hypericum	A
Ilex	A
Jasminum	B
Kalmia	A
Kerria	B
Kolkwitzia	C
Lavendula	D
Ligustrum	A
Lonicera	A
Mahonia	A
Olearia	A
Osmanthus	A

Pachysandra	A
Pernettya	A
Perovskia	C
Philadelphus	B
Pittosporum	A
Potentilla	A
Prunus	A
Pyracantha	A
Rhododendron	A
Rhus	A
Ribes (except R. sanguineum)	D (B)
Rosmarinus	B
Rubus	D
Ruta	D
Salix	D
Salvia	D
Sambucu	D
Santonlina	D
Sarcococca	A
Senecio	A
Skimmia	A
Spiraea	B
Symphoricarpus	A
Syringa	A
Viburnum	A
Vinca	A
Weigela	B

Roses

- (m) Prune roses by approximately one third of previous season's growth, during the period November - December.
- (n) During March, prune all roses to remove dead and diseased wood, and prune all remaining growth to leave 3-5 buds per stem on hybrid tea roses and 7 buds on floribunda roses, all cuts to be made above an outward growing bud.
- (o) During the period July - September inclusive rose bushes shall be 'dead-headed' on each routine maintenance visit.
- (p) Climbing roses must be pruned to offer a permanent framework. During March, prune back shoots which have flowered to 4 buds. Prune out very old or weak shoots, and tie in new growths.

3.5 Litter Clearance only

- (a) Where indicated in the site details some planted areas require litter clearance only, as detailed below. The Clauses regarding Forking and Weeding and Hoeing and Weeding shall not apply. Clause 3.4 regarding Pruning shall still apply.

- (b) During the growing season (April-October) on seven equally spaced occasions, remove litter and debris and dispose off site. On one occasion during January remove all leaves, litter and debris and dispose off site.

3.6 Tree Circles/Squares

- (a) Tree circles/squares are identified on the site details. They are cultivated areas up to approximately 1 metre diameter at the base of the Trees.
- (b) The Contractor shall maintain these areas in accordance with paragraphs 3.1 and 3.2 above.

3.7 Seasonal bedding

General

- (a) The following clauses apply to the preparation, planting and maintenance of Spring and Summer annual bedding and to "carpet bedding". Bedding plant schemes may include bulbs, corms and tubers and references in the Specification to "plants" shall, where appropriate, apply to such bulbs, corms and tubers and the term "bulbs", where used, shall include corms and tubers.
- (b) The Contractor's tendered rate shall not include for the supply of the bedding plants, bulbs and corms, these shall be subject to separate negotiation with the Authorised Officer or may be supplied separately.
- (c) The Contractor shall make allowance in his rates for variable density of planting per square metre due to the variation in choice of design, species selection and plant sizes from bed to bed and from year to year.
- (d) The Contractor shall commence seasonal planting operations during the third week in May for Summer bedding and the first week in October for Spring bedding and shall complete all planting operations within 7 working days of these dates.

Preparation

- (e) Prior to planting seasonal bedding in flower beds or containers, the Contractor shall remove all existing plants and dispose of off site. Where bulbs, corms, rhizomes or tubers are present in beds or containers, the Contractor shall lift them completely using a fork and remove them off site. All plant debris shall be removed from beds and surrounds, which shall be left in a neat and tidy condition.

- (f) After beds or containers have been cleared and prior to planting of Spring bedding the Contractor shall single dig the beds or containers, and incorporate well rotted farmyard manure, leaf mould or other approved organic materials at a rate of 1M^3 of material per 10m^2 of bed. The Contractor shall ensure that the material is fully incorporated and fully mixed.
- (g) After beds or containers have been cleared and prior to planting of Summer bedding, the bed or container shall be single dug to a full spit depth and an approved proprietary fertiliser incorporated in accordance with the manufacturer's instructions.
- (h) On completion of digging the bed shall be refirmed by treading the soil, and be raked, re-profiled and re-levelled to the Authorised Officer's approval. Edges shall be trimmed to form clean, straight lines or smooth flowing curves.

Planting

- (i) The Authorised Officer shall agree with the Contractor, the design of the beds or containers or shall provide the Contractor with a plan. He shall also agree the type and quantity of plants and/or bulbs, corms and rhizomes to be planted. The plant material will be supplied separately to this contract as indicated in 3.7 (b) above.
- (j) The Contractor shall adequately water the plants following receipt and immediately prior to planting, ensuring that they are never in a dry condition.
- (k) The Contractor shall, when planting, evenly space the plants/bulbs to a random pattern except in the case of carpet beds which shall be planted exactly to the Authorised Officer's plan and for edging plants which shall be planted following the line of the bed. Plant spacings shall be in accordance with the plan, or as agreed. Planting holes shall be large enough to accommodate the rootball without restriction and each plant shall be placed upright in the hole to the same depth as received in its container and firmed by use of the hand. The Contractor shall stake and tie any plants as required by the planting plan.
- (l) Bulbs, corms and rhizomes shall be planted in accordance with the plan or as agreed and shall be planted upright with a trowel or dibber, making the hole twice as deep as the bulb, backfilled with excavated soil and firmed by hand.
- (m) On completion of planting all plant containers and carrying trays shall be removed off site and the beds and surrounding areas left in a neat and tidy condition. Canes and ties shall be positioned by the Contractor to secure any plants that require staking.

Maintenance

- (n) Beds and containers planted with Spring bedding plants and bulbs shall be weeded or hoed on six equally spaced occasions during the period October to March and on four equally spaced occasions during April and May.
- (o) Beds and containers planted with Summer bedding plants shall be weeded, hoed and dead-headed once every two weeks commencing mid-June until October inclusive. Dead-heading shall be carried out using approved pruning knives or secateurs. Cuts shall be clean with no jagged, broken or torn stems evident after dead-heading.
- (p) Any infestation or outbreak of pests or disease which seriously affects the display and the development of the bedding shall be reported to the Authorised Officer.
- (q) The Contractor may be required to water beds before and after planting or during hot and/or dry weather. If this is required a rate will be agreed with the Contractor.
- (r) Where "carpet beds" exist the Contractor shall every two weeks from mid-June to October inclusive clip the plants using approved means to clearly retain the original design.
- (s) The Contractor shall, where provided, check all stakes and ties and adjust, replace and re-tie as necessary.

3.8 Planting of Bulbs for Naturalising

- (a) The Contractor's tendered rate shall not include for the supply of the bulbs/corms, these shall be subject to separate negotiation with the Authorised Officer or may be supplied separately.
- (b) Daffodils/Narcissi bulbs shall be 12/14 cms and crocus corms shall be at 7/8 cms.
- (c) Bulbs that are to be naturalised shall be scattered over the area as directed by the Authorised Officer and shall be planted in a random fashion with the bud uppermost and using a bulb planter, trowel or spade, making a hole twice as deep as the bulb/corm, backfilled with excavated soil and firmed by hand. When planting bulbs in lawns, turf shall be replaced and reinstated to the satisfaction of the Authorised Officer.

4. MAINTENANCE OF TREES

4.1 Stakes, Ties and Guy Wires

- (a) Throughout the year, inspect and make good as necessary all tree stakes. Check for looseness, breaks and decay and replace as necessary. Trees with a defective stake which have grown sufficiently to be self-supporting, should be reported to the Authorised Officer.

If instructed, the stake and ties should be removed and the post hole filled with soil and lightly compacted.

- (b) Replacement stakes (of an appropriate size) should be peeled poles without projections, pointed at the base, extending to the base of the crown, and treated with approved preservative.

Drive into existing post hole and wedge as necessary to secure. Refix or replace tree ties as appropriate, allowing for growth since planting.

- (c) Adjust and/or replace ties as necessary to make secure allowing for stem growth and prevent chafing. Where chafing has occurred, reposition tie(s) or replace with an approved type to prevent further chafing.

- (d) Replace damaged or missing ties (there should not be less than 2 ties with pads or spacers per stake).

- (e) Replacement ties to be of rubber or plastic, approved by the Authorised Officer and to be of the following minimum widths:-

- Extra-Heavy and heavy trees: 40mm
- Standard and Feathered trees: 25mm

- (f) Remove redundant tapes, tags, ties, labels and other encumbrance.

- (g) Ensure that all trees remain firmly bedded in the ground. Re-firm as necessary. Any 'collars' at the base of the trunks created by tree movement are to be broken up by fork, back-filled with top-soil as necessary, and refirmed.

4.2 Pruning

- (a) Any necessary pruning operations shall be undertaken in the correct horticultural manner.
- (b) Pruning will be necessary to remove any broken or damaged branches, basal or epicormic growth, or to remove any growth that causes a nuisance or danger to persons or traffic, up to a height of 3 metres from ground level.

- (c) Light pruning will be carried out using sharp secateurs, approved mechanical cutters and handsaws. Trim off ragged edges of bark or wood with a sharp knife.
- (d) Remove branches without damage to, or tearing of, the stem.
- (e) The Contractor may be required to carry out extensive pruning of mature trees and surgery to large trees, and an appropriate rate for carrying out this work will be agreed with the Contractor.
- (f) Remove all arisings from site.
- (g) Notify the Authorised Officer of any disease, fungus or dead trees.

4.3 Leaf Clearance

- (a) Between October and January inclusive, any accumulated leaves will be cleared from all grass and planted areas and the arisings removed from the site.
- (b) Where indicated in the individual site details, leaves shall be cleared from all hard areas, footpaths, driveways etc, as well as grass and planted areas.
- (c) Where indicated in the individual site details, leaves shall be cleared from the areas described in 4.3(a) and 4.3(b) above, once per week from October-January inclusive.

5. MAINTENANCE OF HEDGES

5.1 Hedge Trimming

- (a) Trimming of hedges will be carried out using sharp secateurs, shears, hand-saw or mechanical hedge cutter, with reciprocating blade. Flail cutting will only be allowed with the prior approval of the Authorised Officer.
- (b) Cutting will be such as to encourage a stable hedge so that the width at the top of the hedge is not greater than that at the base.
- (c) Hedges must be trimmed carefully and neatly to a regular line and shape.
- (d) Cutting will be to remove current growth rather than old wood.
- (e) All hedges must be trimmed once per year during October.
- (f) As indicated, hedges on road-sides and at the front of establishments must also be trimmed during June.
- (g) At a limited number of sites as indicated on the individual site details additional hedge trimming operations are required as detailed on the site details.
- (h) During trimming and cutting operations, all litter and debris shall be cleared from the hedge and hedge bases, and together with all arisings, removed from site.

5.2 Base of Hedges

- (a) The base of all hedges must be kept free of weeds.
- (b) Where a herbicide is used for this purpose, paragraphs 2.5(a) - (h) inclusive will apply.

NB: On a limited number of Education Sites (identified in the site details) no pesticides/herbicides shall be used for this purpose.

- (c) All litter, rubbish, etc., must be removed before any herbicide is applied.

5.3 Young or Newly Planted Hedges

- (a) Young hedges do not require trimming.

- (b) The base of all young hedges must be kept free of weeds and litter. If the contractor wishes to use a herbicide to control weed growth then specific approval must be sought from the Authorised Officer before herbicides are applied.
- (c) If the use of herbicides is approved then paragraph 2.5 (a)-(h) inclusive will apply.

5.4 Soil Channels

- (a) Soil Channels are identified on the site details and are areas of neatly edged uncultivated ground from 100mm - 200mm wide set below grass and hard surface level which form a boundary adjacent to grass and hard surfaces, buildings or fencelines.
- (b) The Contractor shall maintain soil channels in accordance with paragraph 5.2 above.

6. PROVISION OF SPORTS AND GAMES FACILITIES

6.1 Grass Pitches

- Football
- Five-a-side Football
- Hockey
- Rugby

Posts, Back Boards and Crossbars

- (a) Prior to the start of the playing season, or prior to the start of the Autumn Term in the case of Education establishments erect posts, back boards and crossbars. All posts are to be vertical to the ground, fixed securely and safely erected.

All crossbars shall be level and at the correct height from the ground for the sport involved. Goal posts and crossbars shall be inspected on a regular basis and, where necessary, re-secured and straightened. The results of these inspections shall be recorded in a format to be agreed with the Authorised Officer and retained by the Contractor and available for inspection by the Authorised Officer.

- (b) Take down and store posts, back boards and crossbars (as appropriate) at the end of the playing season, and make safe post sockets with appropriate plugs.

NB: At a number of sites, there is no on-site storage facility. In these cases, the Contractor will be required to provide storage, under arrangements to be agreed with the Authorised Officer, at no additional cost to the Council. The Contractor will be responsible for any loss or damage occurring during any such period of storage off the site.

- (c) During out of season period, clean off all goal posts, back boards and crossbars, and repaint with one coat of white gloss paint. Any bare spots must be treated with primer. Sections of the posts that fit into sockets should be lightly greased to assist insertion and removal from the socket.

Where posts, back boards and crossbars are stored at individual establishments, the Contractor will be required to make arrangements with the head of establishment to gain access to allow painting and greasing to take place.

- (d) Inform the Authorised Officer of any damaged or unsafe goal posts, back boards, crossbars or boxes, at the time of erection, dismantling or as part of regular inspections in 6(a) above.

Markings

- (e) Prior to the start of the playing season or prior to the start of the Autumn Term in the case of Education establishments set out pitches in accordance with the rules of the sport involved and as agreed with the staff of the establishment concerned.
- (f) All marking shall be accurate with true angles and curves, and well defined straight lines.
- (g) Before any markings, or remarking of lines, remove all dust, litter, etc., and overcut the lines to one width of a rotary or cylinder mower to a height of 20mm.
- (h) All lines shall be clearly visible from a distance of 30m and shall be a uniform width on both individual lines and individual or sets of pitches.

The following widths of line shall apply:-

- (i) Football)
Five-a-Side Football) **minimum 75mm**
Rugby) **maximum 100mm**

Hockey **50mm**

- (j) Pitches shall be line marked by a method, and in a material to be approved by the Authorised Officer so that throughout the duration of the playing season all lines shall meet the requirements specified in paragraphs (f) - (i) inclusive. Approved herbicide may be used to assist in this operation in accordance with the Code of Practice for the use of Approved Pesticides in Amenity and Industrial Areas Appendix 4. Paragraphs 2.5(a)-(h) will apply.
- (k) Where indicated in the individual site details, white lines will be required, on all pitches (unless otherwise indicated in the site details) for the duration of the playing season, which meet the requirements of paragraphs (e) - (i) inclusive.
- (l) Where indicated in the individual site details, white lines will be required to specific pitches on a specific number of occasions as identified in the site details.

6.2 Training Grids

- (a) Prior to the start of the Autumn Term, set out grids in accordance with Site Details and in positions agreed with school staff.
- (b) Marking out shall be carried out in accordance with the requirements of paragraphs 6.1 (f), (g), (h) and (j) above, and lines shall be 50mm wide.
- (c) An indication of training grid make up, as indicated in the Site Details, is given in Appendix 'A' to this specification.

6.3 Tennis Nets

- (a) Where indicated on the individual site details, erect nets and posts at the beginning of the summer term.
- (b) Take down nets and posts at the end of the summer term and plug sockets with the plugs provided. Nets shall be rolled up and stored in clearly labelled plastic sacks. Posts shall be rubbed down, cleaned and re-painted with an appropriate coloured undercoat and one coat of gloss paint.

6.4 Winter Sports Pitch Renovation

- (a) Where indicated in the Site Details, Winter Sports Pitch Renovation is required immediately at the end of the playing season, and before the end of May as ground conditions permit. Reinstatement shall be carried out to goal-mouths, centre circles and other worn areas of winter sports pitches.
- (b) Cultivate worn areas by hand or by approved machinery to a depth of 25mm, producing a fine tilth. Rotovator type equipment shall not be used.
- (c) Infill any low areas using top soil to BS3882 and rake level to give a true playing surface.
- (d) Apply approved grass seed mix to the whole area at a rate of 50gms per square metre, lightly rolling the seed into the soil.
- (e) Allow in tender for an overall average of 500 sq m per pitch. Actual amount undertaken will be agreed with Authorised Officer and any additional or shortfall will be paid or deducted pro rata.

6.5 Cricket Facilities

Squares (General Maintenance)

- (a) The squares shall be rolled at least twice in each direction with an approved flat bed roller of 1 - 1½ tonnes, during March. Turning must be done off the square, and rolling finished in the direction of play.

Before rolling operations are undertaken, in the event of heavy dew or damp conditions, the square shall be brushed or drag matted to remove excess moisture and scatter wormcasts.

- (b) Prior to rolling in March the whole square shall be scarified twice in different directions to remove thatch dead grass, leaves and stems. All arisings to be boxed off. Scarifying shall be carried out using an approved self propelled scarifier.

- (c) Immediately following scarification the whole square shall be spiked to a depth of 100mm by means of two operations in opposite directions using an approved solid tine spiker.
- (d) Fertilise the square in March using a fine turf high nitrogen fertiliser of 11:5:5 at a rate of 35 gms/m² and again in May. Fertilising should only be carried out when ground and weather conditions are suitable and preferably when rain fall is imminent. The application of fertiliser shall not be carried out during drought conditions.
- (e) Fertilise the square in September using a fine turf low nitrogen fertiliser of 3:10:5 at a rate of 35 gms/m².
- (f) Apply a selective herbicide, of a type approved by the Authorised Officer, to all Cricket Squares on two occasions evenly spaced during April and May. Do not spray within three days prior to mowing the square, or during drought conditions. This operation shall be carried out in accordance with paragraph 2.5.
- (g) Apply a broad spectrum fungicide of a type approved by the Authorised Officer to all cricket squares according to manufacturers' instructions during September, in accordance with paragraph 2.5.
- (h) Apply a wormicide of a type approved by the Authorised Officer to the cricket squares during September when conditions are suitable and in accordance with paragraph 2.5.
- (i) Apply an approved mosskiller of a type approved by the Authorised Officer wherever and whenever moss is apparent in the square. Any treated moss shall be removed by scarification once treatment has successfully been completed.
- (j) Keep cricket squares roped off when not in use with posts and materials where these are provided.
- (k) Necessary repair to damage at batting ends and bowling marks will be required on an ongoing basis.

Squares (Autumn Renovation)

- (l) At the end of the playing season, no later than the end of August and to a programme agreed by the Authorised Officer, complete renovation of all squares shall be carried out. Particular attention being given to batting ends, bowling marks, run-ups and low areas. The Contractor shall present his programme no later than four weeks prior to commencement of the works.
- (m) The square will be scarified four times in different directions using an approved self propelled scarifier to remove thatch, dead grass, leaves and stems. All arisings to be boxed off. Soil should be clearly visible between the grass plants and the surface should be slightly loosened.

- (n) The square will be spiked in two directions to a depth of 100mm with a solid tine spiker approved by the Authorised Officer.
- (o) Top dress the whole of the square using a screened, sterilised bulky, heavy clay loam containing 28% - 30% clay as approved by the Authorised Officer. This shall be applied at a rate of 4kgs/m² and shall be spread evenly across the square and luted into the surface by dragmat, hand lute, or dragbrush or combination of all three. Particular attention should be given to batting and bowling run-ups and low areas.
- (p) Overseed the whole cricket square with grass seed mix approved by the Authorised Officer, at the rate of 15gms/m²
- (q) Protect the cricket square after renovation by the erection of a post and wire or similar fence around the perimeter of the square.

Preparation of Wickets (for each Match)

- (r) The square shall be squared off before the preparation of any wickets. Mark or peg the four extremities of the stump lines. Each wicket shall be 3.04 metres wide and 25 metres in length. Systematically select wickets working from one side of the square leaving a 3.04m gap between each wicket. When the square has been used up, return to the original side and form wickets on the unused 3.04m strips.

NB The Contractor shall include for preparing the number of wickets indicated in the site details during the Summer Term, the timings to be agreed with the head of the establishment concerned.

- (s) On the day of the match or the day before lightly scarify the wicket to remove loose materials and thatch, removing all arisings.
- (t) Double cut the wicket to a maximum of 6mm in height using an approved 10 bladed cylinder roller mower, boxing off all arisings. Roll, using a light roller of 250 - 300 kg in weight to provide a firm, true playing surface.
- (u) Wickets should be carefully marked out by means of measuring tape, template or any other means approved by the Authorised Officer. Crease markings and boundary lines shall be marked using non-toxic white marking compound approved by the Authorised Officer. Lines shall be 12.5 - 18mm wide, clearly visible at 22m.

NB The distance of the boundary line from the square shall be as agreed with the head of the establishment concerned.

- (v) A wicket may be used 2 or 3 times if only lightly played with little damage, subject to the Authorised Officer's approval. If reused, a wicket should be treated as specified under paragraphs (r) - (t) above.

- (w) On the following working day after each match, all debris shall be brushed off the wicket and all loose material collected and removed off site. Damaged areas near the crease shall be hand forked to a depth of 50mm at 75mm spacings. Spread sterilised, screened heavy clay loam over the area and compact by treading. Level with a lute and overseed with grass seed mix, approved by the Authorised Officer, at a rate of 50gms/sq.m.

Cricket Strips

- (x) Strips will normally measure 25m x 3.04m, but the size of wickets should be agreed with the staff at each school. The siting of cricket strips shall be agreed with the staff at each school.

NB The Contractor shall allow for the preparation of the number of cricket strips indicated on the site details during the Summer Term, the timings to be agreed with the Head of establishment concerned.

- (y) Double cut the cricket strip to 6mm in height using an approved cylinder roller mower, boxing off all arisings.
- (z) Wickets shall be marked out in accordance with paragraph (s) above.
- (aa) At the end of the summer term, fork any damaged batting ends, bowlers run-ups and low areas. Top dress these areas with screened heavy loam, lute in and overseed with an approved grass seed mixture at 15grms/sq m.

6.6 Nottinghamshire Artificial Wickets

- (a) On four occasions, once per month, evenly spaced from March-June, roll the matting using a 300kg roller, or similar, approved by the Authorised Officer.
- (b) Before the grass attains a height of 25mm during the playing season, mow a 3m wide band around the wicket to 12-15mm and box-off with a cylinder mower.
- (c) On four occasions, once per month, evenly spaced from March - June, brush the surface clean, and renew markings with white emulsion paint. Lines to be between 12.5mm and 18mm wide, clearly visible from a distance of 22m.
- (d) Immediately notify the Authorised Officer of any instances of vandalism or damage which occur to the wicket. The Contractor will at no time allow any machine or vehicle to be driven across the wicket other than for the purpose specified above.
- (e) Check the securing pins at regular intervals, and replace if necessary.

- (f) If the Nottinghamshire wicket is situated within a cricket square, then maintenance of the square will still apply, according to the provisions of paragraph 6.5.
- (g) Other work may be required, and an appropriate rate for carrying out any work will be agreed with the Contractor.

6.7 Athletic Facilities

General

- (a) Sports Day is an important peak in each School's calendar, and the contractor will be responsible for obtaining the date of this day early in the Summer Term from each headteacher. All grass should be cut, lines remarked and facilities renovated no earlier than one day before each Sports Day.

If heavy rainfall is experienced between marking being carried out (required under paragraphs (g) and (k) below) and the Sports Day, the markings shall be checked on the morning of the Sports Day and any necessary re-marking carried out. The Authorised Officer shall be immediately notified of any re-marking found to be necessary, and payment for any re-marking shall be made based on the Schedule of Rates.

Athletics Track

- (b) Current details of each establishment's track is given in the site details.
- (c) Prior to the start of the Summer Term, set out athletic tracks in accordance with Sportsmark 'Standard Sports Markings' or as agreed with staff of the establishment concerned.
- (d) Marking out shall be carried out in accordance with the requirements of paragraphs 6.1 (f), (g), (h) and (j) above, and lines shall be 50mm wide.
- (e) Athletic tracks should be overmarked in approved white material immediately prior to Sports Day or Athletics Events.

Throwing Events

- (f) Where discus, hammer, javelin and shot-put facilities are required, details are shown in the site details.
- (g) Prior to Easter (start of the Summer Term in the case of schools), set out markings in accordance with Sportsmark 'Standard Sports Markings', or as agreed with staff of the establishment concerned.

- (h) Marking out shall be carried out in accordance with the requirements of paragraphs 6.1 (f), (g), (h) and (j) above, and lines shall be 50mm wide.
- (i) All lines should be overmarked in approved white material immediately prior to Sports Day.
- (j) Grass around all hard surfaced throwing circles should be cut and edged with half moon edging iron immediately prior to Sports Day.

Jumping Facilities

- (k) Where long jump, high jump and triple jump facilities require maintenance, details are shown in the site details.

NB Not all pits have timber edging or hard porous run-ups.

Sandpits

- (l) During March:
 - edge up grass with a half moon edging iron and remove arisings;
 - fork existing sand to full depth and remove weed and rubbish;
 - provide clean, non-staining wind blown sand to make up to ground level at the edges, crowning up to 150mm above ground level in the centre;
 - report any decaying or damaged timber edging to the Authorised Officer (any necessary renewal of timber edging may be required and an appropriate rate may be agreed with the Contractor).
- (m) Every week during the Summer Term:
 - return all spilled sand back into the pit;
 - fork to full depth to loosen sand and remove rubbish, weeds and debris.
- (n) Fork and edge up prior to Sports Day or Athletics Event.
- (o) During the remainder of the year inspect the jumping pits monthly and remove any sand which has spilled onto the run-ups and over the sides of the pits. Remove any rubbish, weeds and debris. Edge up grass in Autumn using suitable edging tool.

Hard Porous Run Ups/High Jump Fans

- (p) During March:
- apply 2 coats of good quality white undercoat paint to all take off boards;
 - apply and spread an approved 3mm to dust hard porous material as necessary to bring the surface level with take-off boards and sides, and roll;
 - remove any weeds or moss;
 - edge up grass areas abutting run-ups with a half moon edging iron and remove arisings;
 - report any decaying or damaged timber edging to the Authorised Officer (any necessary renewal of timber edging may be required and an appropriate rate may be agreed with the Contractor).
- (q) During the Summer Term:
- scarify, lute and roll all run ups, evenly spaced each month from April-July inclusive;
 - keep run up free of weeds and moss;
 - scarify, lute, roll and edge up grass prior to Sports Day or Athletics event.
- (r) During the remainder of the year, keep the run up free of weeds and moss and edge up grass in Autumn using a suitable edging tool.

6.8 Rounders/Softball

- (a) Set out and initially mark each pitch in accordance with Sportsmark 'Standard Sports Markings', or as agreed by staff of the establishment concerned.
- (b) Marking out shall be carried out in accordance with the requirements of paragraphs 6.1 (f), (g), (h) and (j) above, and lines shall be 50mm wide.
- (c) Where indicated in the individual site details, white lines will be required to rounders pitches for the duration of the playing season, which meet the requirements of paragraphs 6.1(f), (g), (h) above, and lines shall be 50mm wide.

6.9 Hard Porous Areas (eg Redgra, Driplay, Olliset)

- (a) Hard porous areas are used for a number of sports (e.g. tennis, football, hockey and athletics facilities).

- (b) The specific use of these areas will be as required by the staff of the establishment concerned, and current details are noted on the site detail sheet. Precise locations and dimensions for marking will be determined by the staff of the establishment concerned.

Winter sports markings and training grids will be required during the Autumn and Spring Terms.

Athletics, rounders and other summer sports markings will be required during the Summer Term.

- (c) During Term time rake, brush and roll the whole surface of each hard porous area once per week, on a day to be determined by the establishment using equipment approved by the Authorised Officer. Following this, re-mark using a non-toxic white marking compound approved by the Authorised Officer.
- (d) All lines are to be to widths indicated in paragraph 6.1 (i) or 6.2 (b) or 6.7 (f) and (j) or 6.8 (b) as applicable and clearly visible from a distance of 30 m.
- (e) Ensure that all markings are accurate with true angles and curves.
- (f) On 3 occasions during the year (during the main 3 school holiday periods in respect of school and college sites) and using equipment approved by the Authorised Officer, scarify the surfaces to a depth of 25mm with 2 passes in opposite directions, being alert and very careful not to lift any base or drainage stone. Over-compacted areas (e.g. goal mouths) must be spiked twice in opposite directions. Lute the loosened material to a level, roll with a minimum 500 kg roller and brush to present a firm, well mixed playing surface.
- (g) Where indicated in the individual site details, top dressing with 'redgra' or 'Deansett' hard porous surface material is required annually. This material must be 'keyed' into the existing surfacing material by applying immediately after one of the scarifications under (f) above.
- (h) Annually clean out all silt and catchpits.
- (i) Edge all grass areas abutting the pitch on two occasions each year, March and June.
- (j) At peak times of play, further maintenance work may be required and payment shall be made based on the Schedule of Rates and/or Daywork Rates as appropriate.
- (k) Maintenance of hard porous areas must not be carried out in frosty or unduly dry conditions, but marking should continue.

- (l) At the beginning/end of the season erect/dismantle all posts, back boards and crossbars associated with games taking place. Repaint all items each year with one coat of white gloss paint. Inform the Authorised Officer of any items requiring replacement and carry out regular inspections all in accordance with Clauses 6.1(a)-(d) inclusive above.
- (m) The hard porous areas shall be kept free of weeds. Where a herbicide is used for this purpose, the provisions of paragraph 2.5 will apply.

6.10 Hard Porous Softball Diamond

- (a) During the playing season (April-September inclusive) rake, brush and roll the whole of the Softball Diamond once per week, on a day to be determined by the establishment, using equipment approved by the Authorised Officer.
- (b) Prior to "raking and brushing", dragmat the area to remove divots and fill any larger divots with "Red-Track" top dressing material.
- (c) On one occasion prior to the start of the playing season in Spring, and using equipment approved by the Authorised Officer, scarify the surface to a depth of 25mm with 2 passes in opposite directions, being alert and very careful not to lift any base or drainage stone.

Top dress the surface to a depth of 7mm with an approved hard porous material, eg Red-Track. This material must be keyed into the existing surface by applying immediately after the deep scarification

Lute the loosened material to a level, roll with a minimum 500kg roller and brush to present a firm, well mixed playing surface.

- (d) The Softball Diamond shall be kept free of weeds. Where a herbicide is used for this purpose, the provisions of paragraph 2.5 will apply.

6.11 Sand Filled Synthetic All Weather Areas

- (a) Synthetic All Weather Areas are used for a number of sports, e.g. football, hockey, netball, five-a-side.
- (b) The specific use of these areas will be as required by the staff of the establishment concerned, and current details are noted on the site detail sheet.
- (c) Brush the synthetic area in two directions once per week using a Sisis Hydramain tractor with a 2.44mm plastic bristle brush.

- (d) Slight pressure shall be applied to the brush such that the sand is moved but does not build up excessively in front of the brush.
- (e) All litter, debris and stones etc., shall be removed from the area prior to brushing, including any hard area surrounds
- (f) Remark all lines on 4 equally spaced occasions throughout the year using an acrylic latex water based paint using a spray line applicator.
- (g) Where indicated in the individual site details re-marking of synthetic pitches will be required to specific pitches on a specific number of occasions and/or on specific days as identified in the site details. An acrylic latex water-based paint shall be applied, using a spray line applicator, and in accordance with paragraphs (h)-(i).
- (h) All lines shall be remarked in existing colours unless otherwise directed and shall be 75mm wide for senior football and 50mm wide for other markings and to true angles and curves and well defined straight lines.
- (i) Before marking, sweep clean the lines, removing all debris and litter.
- (j) Annually clean out all silt and catchpits.
- (k) At the beginning/end of the season, erect/dismantle all posts, back boards and crossbars associated with games taking place. Repaint all items each year with one coat of white gloss paint. Inform the Authorised Officer of any items requiring replacement.
- (l) Treat the whole of the synthetic area once per year in September or October with an approved **water-based** moss kill at manufacturers recommended rates. The provision of paragraphs 2.5 (a) to (h) inclusive will apply.
- (m) Edge all grass areas abutting the pitch on two occasions each year.

7. PLAYGROUND AND HARD SURFACE AREAS

7.1 Markings

- (a) In respect of marking hard surface areas, the contract covers only the re-marking of existing features. Markings may appear on walls as well as floors, and the type and number are indicated in the individual Site Details.
- (b) Existing colours should be used for all re-marking, unless otherwise directed.
- (c) Re-mark all lines annually using an approved paint to manufacturers' instructions ensuring no spillage of paint occurs.
- (d) Before marking, sweep clean the lines, removing all dirt, loose material and litter.
- (e) All lines are to be 50mm wide, clearly visible from 20m, and shall be accurately marked with true angles and curves, and clean edged, well defined straight lines.
- (f) All specified playground markings will be implemented annually. Tennis, rounders, and athletics markings, will be implemented during the main Easter holiday period prior to the start of the Summer Term. All other markings will be implemented during the Summer holiday period prior to the start of the Autumn term. No marking will take place in damp, wet or frosty conditions.

7.2 Hard Surface Area Weed Control

- (a) Where indicated on the site details, herbicide shall be applied to playground and hard surface areas to include, paved areas, building/wall bases, kerb and gulley edges, edges to roadways, car parks, tennis and netball courts.
- (b) Apply a herbicide approved by the Authorised Officer on one occasion during April to the areas indicated in paragraph 7.2 (a) ensuring herbicide is kept clear of grassed and planted areas. The provisions of paragraph 2.5 will apply.
- (c) As required throughout the remaining growing period, i.e. May - October, spot treat any further weed growth on the areas indicated in paragraph 7.2 using a herbicide approved by the Authorised Officer. The provisions of paragraph 2.5 will apply.

7.3 Hard Surface Area Moss Control

- (a) Where indicated on the site details, an approved moss and algae killer will be applied to hard surface areas.
- (b) Apply moss/algae killer to the hard surface area in accordance with manufacturers instructions. When moss and algae killer has been effective then sweep clean the hard surface area.
- (c) Carry out further treatments and brushing required throughout the year to maintain a moss/algae free surface.
- (d) The provisions of paragraph 2.5 will apply.

7.4 Hard Surface Area Brushing

- (a) Where indicated on the site details the hard surface areas shall be cleared of litter and debris and the whole surface swept clean.
- (b) This operation shall be undertaken at the frequency indicated on the site details, evenly spaced throughout the year.

7.5 Gravel Paths (Gawthorpe Hall)

- (a) This clause applies to the paths within the rose garden and the parterre only.
- (b) The paths shall be cleared of litter and debris and raked by means of a garden rake to prevent moss growth and provide an even surface.
- (c) Any weed growth within the surface of the path or adjacent to the edging of the path will be removed by hand or hoed prior to raking.
- (d) This operation shall be carried out on twelve occasions evenly spaced throughout the year.

8. MAINTENANCE OF PARTERRE (GAWTHORPE HALL)

- (a) Trimming of parterre will be carried out once per month evenly spaced between the months of May and October inclusive.
- (b) Trimming will be carried out by using sharp hand shears, and will be to remove current growth.
- (c) Trimming will be such as to keep the tops of the individual blocks within the parterre horizontal and level with each other to present a level format throughout the whole of the main pattern of the parterre.
- (d) Trimming will be such as to keep the sides of the individual blocks within the parterre vertical and the curves and flows of the framework of the parterre consistent with the pattern presented.
- (e) The individual box plants adjacent to the main pattern of the parterre will be trimmed in such a manner to retain their existing shape.
- (f) During trimming operations, all litter and debris shall be cleared from the parterre and the parterre base, and together with all arisings from the operation, shall be removed from site.
- (g) The base of the parterre must be kept free of weeds by hand weeding.
- (h) The parterre shall be fertilised in April each year using an approved fertiliser in accordance with manufacturers' recommended rates.

9 DRAINAGE - DITCHES AND STREAMS

- (a) On one occasion between October and December, cut down all weed growth in and around ditches (identified in the site details).
- (b) Starting at the lowest point and working to the highest point, remove silt up to 75mm below and 75mm clear on either side of culverts or pipes on the ditch course. Remove rubbish and silt that has collected in streams and ditches, and ensure that all culverts are free of rubbish and grills are in place and in good repair.
- (c) Silt shall be spread evenly over the top of the banks so as to avoid being washed back into the ditch.

BS/CMS/GM/SJS
29 January 2013

Establishment Ref E01099
Establishment LANCASTER BARTON ROAD
PLAYING FIELD

Contract Ref 187
Contractor Ref LANCASHIRE COUNTY
COMMERCIAL GROUP

Address BARTON ROAD
Address
Post Code
B of Q CORP SLA

Activity	No of Plots	Area	Unit
GANG MOWING	1	38464	sq m
ROTARY MOWING	1	420	sq m
WOODLAND AREA ONE CUT PER ANNUM		896	sq m
HEDGES WINTER	1	858	sq m
HEDGES SUMMER	1	858	sq m
PERIMETER WEED KILLING		572	lin m
RENOVATION OF PITCHES		2	no.
FOOTBALL SENIOR PITCH-MARK FOR SEASON		2	no.
FOOTBALL SENIOR PITCH-ERECT/DISMANTLE & PAINT GOALS		4	no.

Establishment Ref E01015
Establishment MOORSIDE PRIMARY SCHOOL

Contract Ref 126
Contractor Ref LANCASTER CITY COUNCIL

Address BOWERHAM ROAD
Address LANCASTER
Post Code LA1 4HT
B of Q 2010

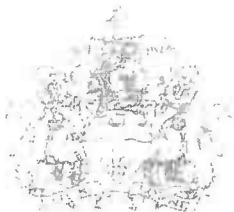
Activity	No of Plots	Area	Unit
CYLINDER MOWING	22	12012	sq m
GANG MOWING	1	8804	sq m
ROTARY MOWING	5	5791	sq m
LAWN EMBANKMENT	2	237	sq m
ENVIRONMENTAL AREA ONE CUT PER ANNUM		40	sq m
UNDEVELOPED AREA ONE CUT PER ANNUM		4402	sq m
SHRUB BEDS ROUTINE MAINTENANCE	27	571	sq m
HEDGES WINTER	1	40	sq m
HEDGES SUMMER	1	40	sq m
PERIMETER WEED KILLING		664	lin m
LAWN EDGE (HALF MOON)		1883	lin m
LAWN EDGE (SHEARS)		271	lin m
LEAF CLEARANCE GRASS AND PLANTED AREAS		23167	sq m
DITCH	1	114	lin m
FOOTBALL JUNIOR PITCH-MARK FOR YEAR		2	no.
FOOTBALL JUNIOR PITCH OVERMARK IN WHITE ONCE A		2	no.
ROUNDERS		2	no.
RUNNING LANES-10x40	1	1	no.
HARD AREA WEED CONTROL- SQ M		260	sq m
HARD AREA WEED CONTROL- LM		1080	lin m

Establishment Ref E01015 Contract Ref 126
Establishment MOORSIDE PRIMARY SCHOOL Contractor Ref LANCASTER CITY COUNCIL

Address BOWERHAM ROAD
Address LANCASTER
Post Code LA1 4HT
B of Q 2010

Site Notes LEAF CLEARANCE DOES NOT APPLY TO GANG MOW AREAS.

PVO Notes PVO 24203 WEF 01/04/06 PVO 20387 WEF 01/04/12



Lancaster City Council
Town Hall
Lancaster LA1 1PJ

W.P. A. [unclear] Town Clerk & Chief Executive
R.M. [unclear] City Secretary
P.S. [unclear] Treasurer

Please call to Mrs. Parkinson.

Telephone: (0524) 65272
Fax: (0524) 65272 Ext. 282

Your ref

My ref CAP/JR/202/25/11

1st August, 1989.

Dear Sir,

Public Health Act 1936 - Section 15
Bowerham Flood Relief Scheme - Phase 2

I enclose herewith, a Notice under Section 15 of the Public Health Act 1936, concerning the intention of the City Council to enter upon land owned and/or occupied by you. The plan attached to the Notice indicates where the works will be carried out.

If you have any queries regarding this scheme, the City Engineer at Morecambe Town Hall will be willing to supply you with any further information or discuss any problems relating thereto. The Officer dealing with this scheme is Mr. R.J. Tulej (telephone 417120 ext. 487) who will be pleased to explain the works and answer any queries that may arise.

Yours faithfully,

Town Clerk.

Lancashire County Council,
Property Services Department,
P.O. Box 9,
Guild House,
Cross Street,
PRESTON.
PR1 8RD

Enc.

TEMPORARY LOSS

Total area equals 1.46 acres which comprises of 897 square yards for the site of the compound.

897 sq. yds @ £2.47 p.s.q. = 2215

1.275 acres at £150 per acre = 190

£2406

Development period of 9 months x 0.75

£1805

PERMANENT LOSS

0.52 ACRES AT £5000/2 = 1300

plus 6 manholes at £50 = 300

£1600

Total is £3,405

tl/d-oct/flood1

8 AUG 1989
RECEIVED

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

THE CITY COUNCIL OF LANCASTER

PUBLIC HEALTH ACT 1936, SECTION 15

WHEREAS the City Council of Lancaster (hereinafter called "The City Council") acting as agents for the North West Water Authority propose to carry out the works described and shown on the plan attached hereto.

AND WHEREAS the Council propose that works namely the construction of a 23 metre length of 750 mm. diameter flood relief concrete pipe downstream of manhole 9, a 77 metre length of 750 mm. diameter flood relief concrete pipe downstream of manhole 8A, a 24 metre length of 750 mm. diameter flood relief concrete pipe, a 10 metre length of 600 mm. diameter concrete pipe, a 130 metre length of 150 mm. diameter UPVC vent pipe and a 210 metre length of 2400 x 2400 mm. concrete box culvert downstream of manhole 7, together with all necessary reinstatement. The works being necessary as part of the Bowerham Flood Relief Scheme Phase 2. The said works being constructed in, on, or over certain land owned and/or occupied by you.

NOW THEREFORE TAKE NOTICE that the Council will, in pursuance of the provisions of the Public Health Act 1936, by their servants, agents or contractor proceed on or after the seventh day of August One Thousand Nine Hundred and Eighty Nine to enter onto the said land owned and/or occupied by you in order to carry out the works more fully described above.

A plan of the intended works will be deposited at the Office of the City Engineer, Town Hall, Morecambe, and will be available for inspection during normal office hours.

Dated this 11th day of August 1989.

TOWN CLERK.

*

AC

5

LO4(4)

Julia

Further to our telephone conversation re County Councils "claim".

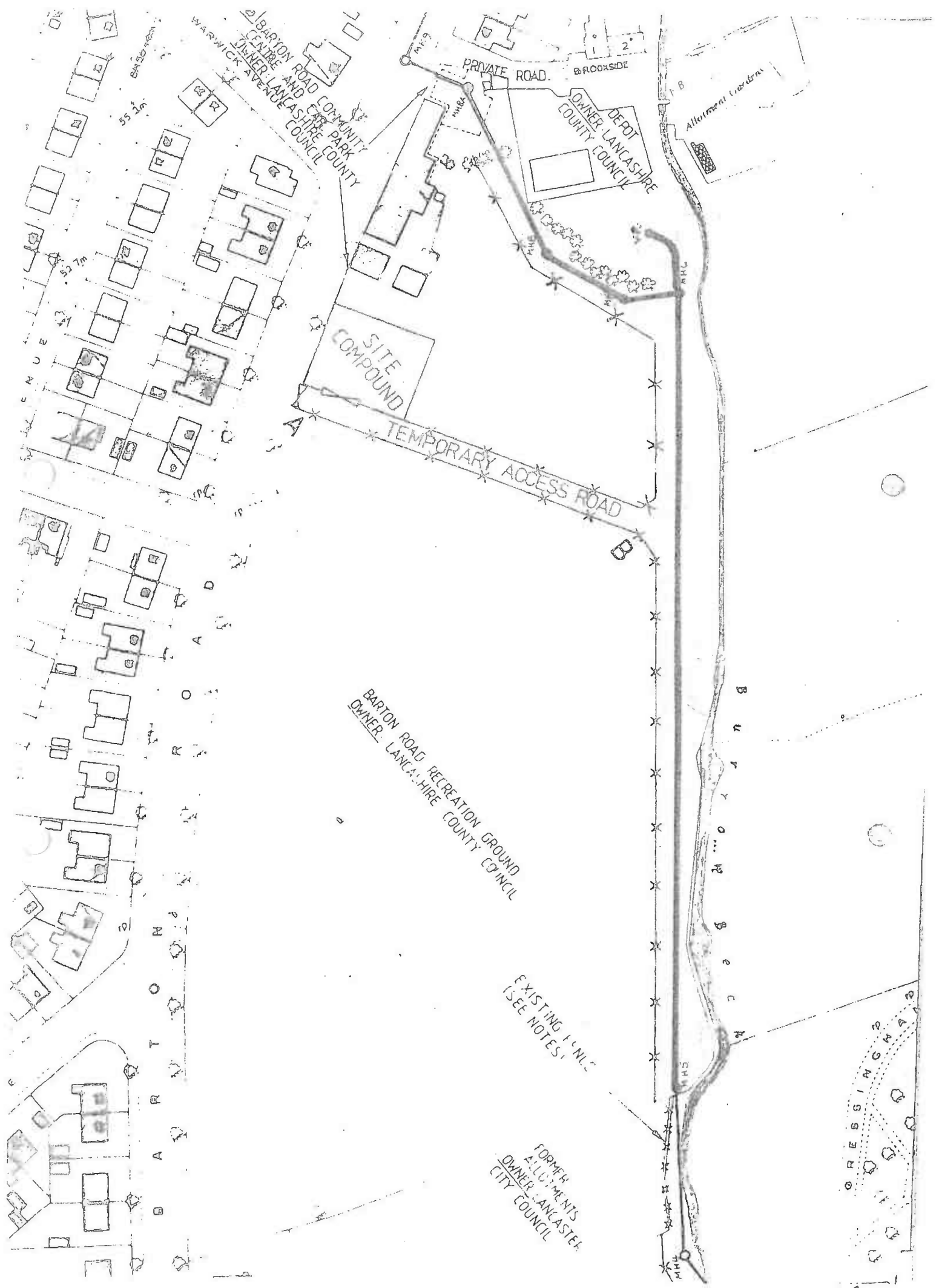
Enclosed are drawings and copy letters.

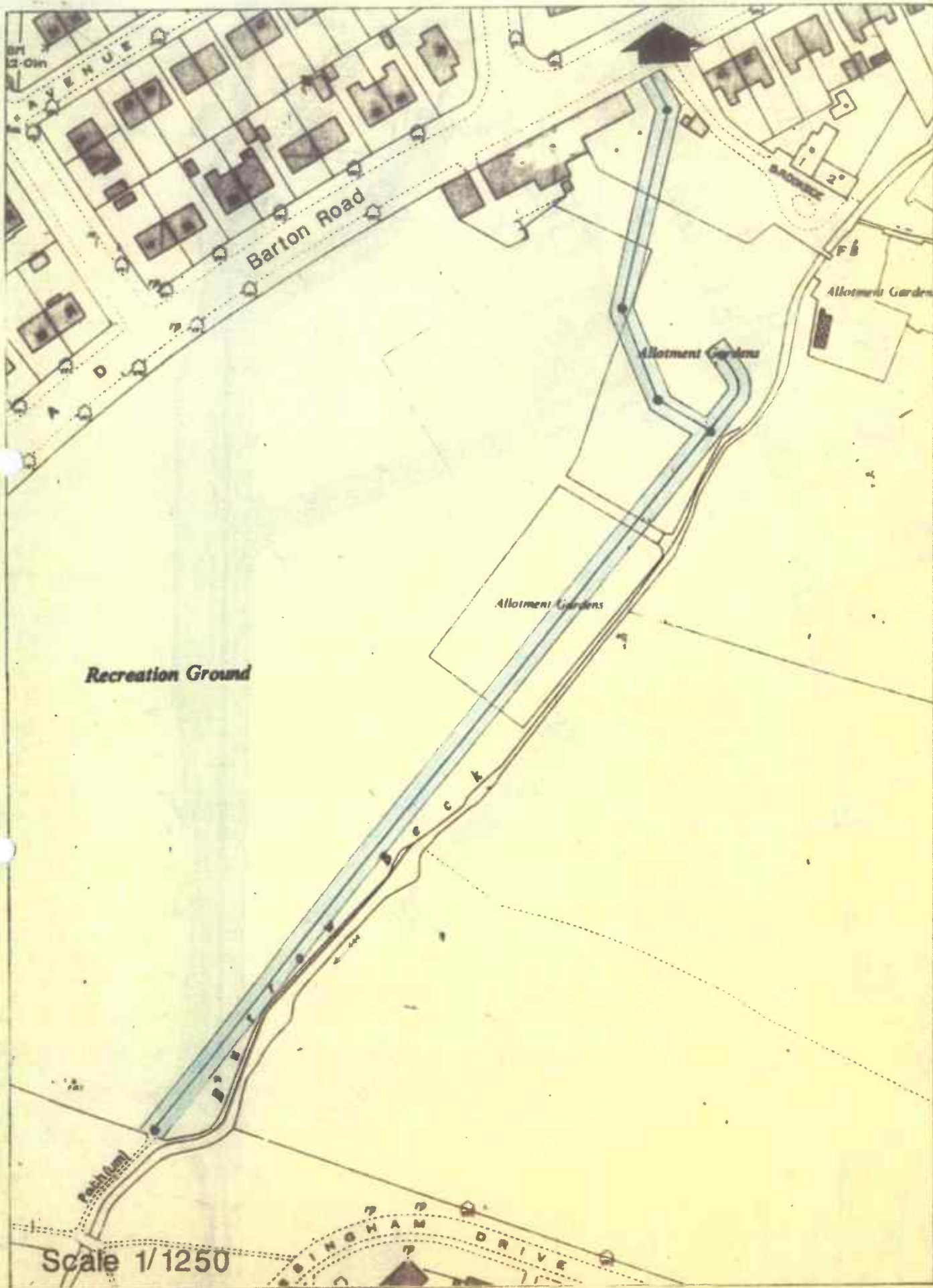
1. Land use drawing - land fenced off for 9 months - 30 July - 30 April 1990. Note that playing fields still in use for cricket & football during this period.
2. Note the difference between existing sewers and new sewers. New sewer close to Beck. Existing sewers crossing the site are abandoned - releasing more space. Any new development would not go that close to Beck.
3. New system provides extra capacity. We wouldn't have permitted connection from large developments to old sewers - insufficient capacity. Permits development of East side of Beck now there is sufficient capacity. (Proposed site of new school?)

If you need to discuss any further
give me a ring.

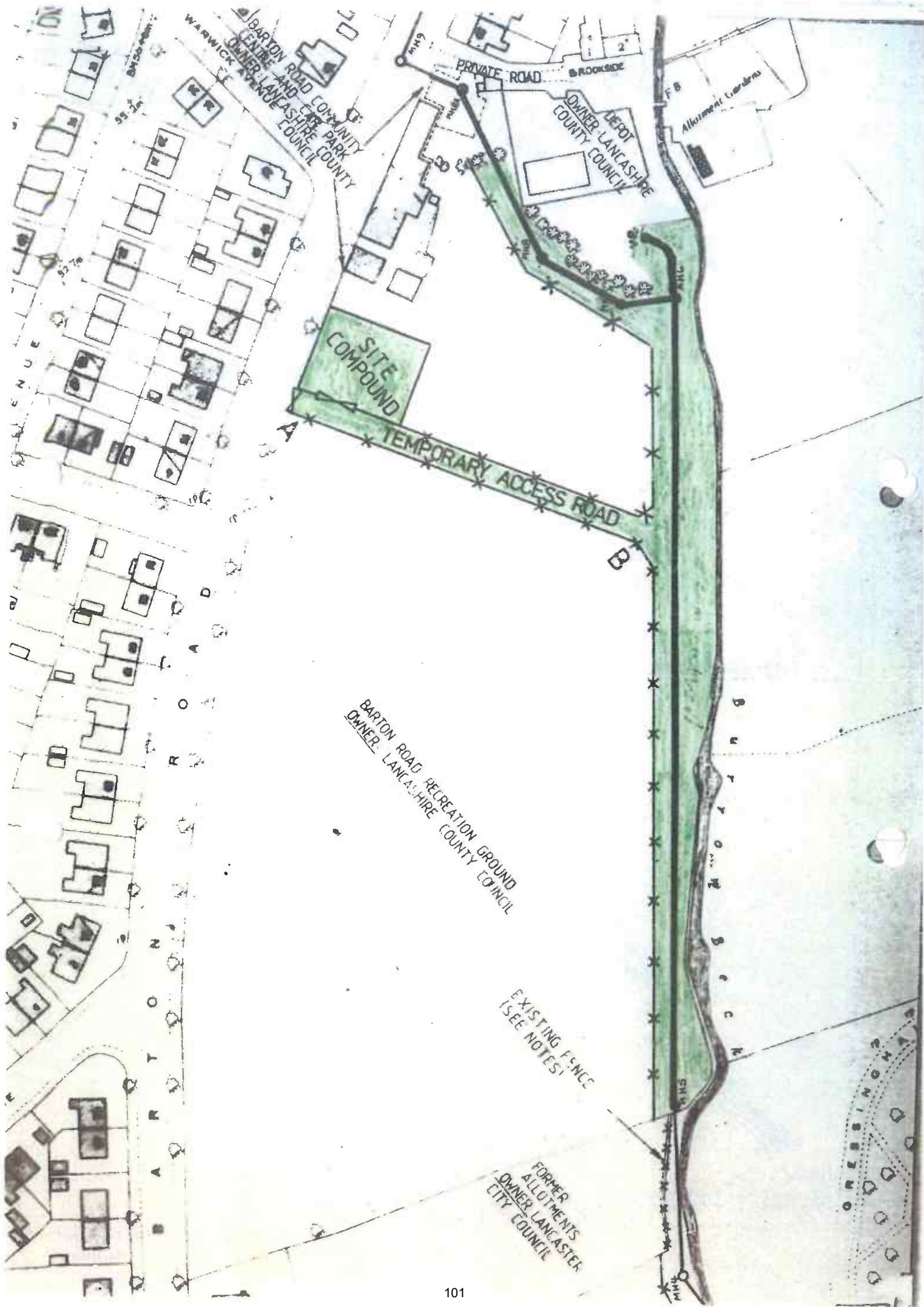
Richard Tully

18/1/91.





Dept of Property Services
Estates Division
Preston



expensive.

10/10/03

* Trich. unatting - 3/11/09

* Lancaster for Metherall
Sat Mar 2.4 - Football

Re changed

* Jan 24 Birmingham FC - Football
Sept April

* Examine Book - 15/5
25/7 9/8 - Lancaster City Council

* Schools OK

* Memorandum of Understanding - Green's

From: Lawrence, Jean
Sent: 09 March 2010 09:48
To: Walker, David
Subject: RE: Barton Road Playing Field, Barton Road, Lancaster

Hello David

We have two lettings for Barton Road Playing Field at the moment. They are

Lancaster Giants FC – Mr Brian Green 54 Windsor Avenue, Lancaster LA1 4BE 01524 68609/07966535923
They use it on a Sunday 12.00 to 13.00 (not every week, they run to fixture list, which I do not have, they let
me know after the season when they have played)

Lancaster Free Methodist Church Football Club – Mr James F Heron 26 Morecambe Road, Morecambe LA3
1AP 01524 411170/08701684622

They use it on a Saturday 14.00 to 16.00 (not every week, they run to fixture list, which I do not have, they
let me know after the season when they have played)

If I can be of any further help please let me know

Regards

Amrith, Ravinder

From: Walker, David
Sent: 20 December 2012 08:52
To: Amrith, Ravinder
Subject: Gressingham Drive.pdf - Adobe Reader
Attachments: Gressingham Drive

Ravinder,

The land over which the claimed footpath runs did have a mowing Licence on it for many years which was managed by the Land Agency Team of the County Council.

I have attached a standard signed copy from the file.

The file I have shows the letting going back to 1989 whilst the last letting was 2001 and from 30th September 2001 there has been no lettings.

The plan indicates the area involved.

Regards

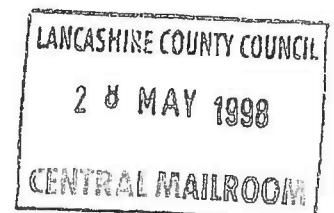
David Walker
01772 533874
Estates Surveyor
Lancashire County Council

LANCASHIRE COUNTY COUNCIL

MOWING ONLY TENANCY AGREEMENT

AN AGREEMENT made on the *27th* day of *June* 1998 BETWEEN LANCASHIRE COUNTY COUNCIL, Lancashire County Property Group, PO Box 26, County Hall, Preston, PR1 8RE (hereinafter called "the Landlord" which expression where the context admits includes the persons deriving title under it) of the one part AND Messrs J and J Shearing of Knotts Farm, Quernmore, Lancaster LA2 9LU hereinafter called "the Tenant" which expression where the context admits includes the persons deriving title under him) or the other part WHEREBY the Landlord agrees to let and the Tenant agrees to take all the land (hereinafter called "the Land") extending to 2.661 hectares (6.57 acres) or thereabouts and situated at Gressingham Drive, Lancaster in the County of Lancashire described in the Schedule and for identification purposes only edged red on the plan attached upon the following terms and conditions:

- 1 The Tenant shall have the right to occupy and mow the Land from the 24 day of April 1998 until the 31 day of October 1998 (the "Term"), subject to one month's notice to quit in writing given by the Landlord in the event of the Land, or any part thereof, being required for any purpose of the Landlord (when a refund of an appropriate portion of the rent will be made by the Landlord).
- 2 Access to the Land will be from Gressingham Drive.
- 3 The Tenant shall pay the Landlord the sum of one hundred pounds (£100.00) before entry onto the Land (cheques to be made payable to Lancashire County Council) such sum to be paid free from any deductions.
- 4 The Tenant shall pay all rates water charges and outgoings in respect of the Land during the Term.
- 5 The Tenant shall farm the Land for the purposes of growing and mowing grass for his agricultural trade or business and not for any other purpose such use to be in a good and husbandlike manner.
- 6 The Tenant is to indemnify the Landlord from and against all claims, demands, actions, proceedings made or brought against it whatsoever and howsoever resulting from any breach by the Tenant of the provisions of this tenancy agreement.
- 7 The Tenant will make good any damage or injury, fair wear and tear excepted, to the Land and to any adjoining land and buildings of the Landlord arising from use of the Land by the Tenant, or pay a sum equal to the cost thereof if the work of repair and restoration is executed by the Landlord.
- 8 The Tenant will keep and leave clean and in good order and condition all drains, water supplies, stiles, bridges, culverts, watercourses, ditches and roads upon the Land.
- 9 The Tenant will keep the above land in a clean and tidy condition, free from litter and other obnoxious matter and will take all necessary steps to control and destroy all harmful and injurious weeds including docks, thistles (which shall be mown before 16 July) and other weeds, moles and other pests.



- 10 The Tenant will quietly yield up the Land in the condition required by the provisions of the Tenancy. The Tenant shall not be entitled to claim for tenant right or any other compensation whatsoever.
- 11 The Tenant will clear the Land and reinstate the Land to its original state of pasture on the termination of the Tenancy.
- 12 The Tenant shall maintain all existing walls, fences, gates and maintain and trim the hedges in good stockproof repair and condition to the satisfaction of the Landlord so that the same shall be stockproof and leave the same in such a condition on the termination of the Tenancy.
- 13 The Tenant shall not introduce any disease affecting the Land.
- 14 The Tenant shall not commit or suffer any wilful or voluntary waste spoil or destruction on the Land or do or suffer to be done thereon anything which may be or become a nuisance or annoyance to the Landlord or the owners or occupiers of adjoining land or any other person.
- 15 The Tenant will conform to the rules of good husbandry as laid down in S11 of the Agricultural Act 1947.
- 16 The Tenant will not assign, underlet or otherwise part with possession of the Land or any part thereof.
- 17 The Tenant's use of the Land will be subject at all times to the rights of third parties in under or over the Land if any.
- 18 The Tenant will not erect or bring onto the Land any building or structure of any kind whatsoever or make any other alteration to the Land nor allow on the Land any motor cars, caravans, shelters or the like.
- 19 In the event of the death of the Tenant or upon the Tenant committing a breach of nonobservance of any of these conditions the Landlord may thereupon re-enter upon the Land and the Tenancy shall thereupon absolutely determine and cease.
- 20 The Tenant will permit the Landlord to have the rights of ingress and egress for themselves, their servants, contractors and all persons authorised by them, with or without vehicles, for the purpose of inspecting the state and condition of the Land, and carrying out the Landlord's obligations under any wayleave or other contract entered into by the Landlord whether before or during the continuation of the Tenancy any forestry operation, any development and use of the Land or adjacent land. The Landlord will not pay any compensation for any damage caused due to the above operations.
- 21 The Tenant will permit the Landlord and all persons authorised by him with or without vehicles, horses, machinery and plant to enter any part of the Land at all reasonable times, for all reasonable purposes and in particular and without prejudice to the generality of the foregoing the right to run pipes, drains, conduit, cables, wires, survey, dig boreholes and other works (either already existing or new ones) for the benefit of any other part of the Landlord's estate. The Tenant will not be paid compensation in respect of any work carried out.

- 22 The Tenant agrees that no milk quota is attached to the Land and not to pursue any claim or otherwise in respect of any milk quota which may have arisen from any previous use of the Land.
- 23 The Tenant will not spread blood, blood products, offal or sewage sludge on the Land.
- 24 The Tenant shall not cut down, fell, destroy, lop or top any trees growing on the Land without the previous consent in writing of the Landlord.
- 25 The Tenant shall not allow or permit any trespass on the Land.
- 26 The Tenant shall at all times immediately upon receipt of any notice, order, direction or other matter whatsoever affecting the Land produce the same for the Landlord's inspection and permit the Landlord to take a copy thereof and to comply at once and give sufficient effect to every order direction or notice duly made and served upon the Tenant by a competent authority.
- 27 The Tenant shall comply fully with all legal obligations, Acts of Parliament, Notices, Rules, Regulations and Bye Laws relating to the Land or the use and mowing thereof.
- 28 The Tenant will manure and till the Land using only farmyard manure, lime, slag and compound fertilizers in the normal manner.
- 29 The Tenant will not remove any water from the Land by way of tanker, pipe or by any method.
- 30 The Tenant shall not waste any water and will report any leak of water to the Landlord or his agent.
- 31 The Tenant shall not permit or allow access to the land by any person or organisation engaged in using hounds for the purpose of hunting animals.
- 32 Any reference to Statutes and Statutory Instruments shall include references to any statutory modifications or re-enactments thereof for the time being in force.
- 33 If the Tenant commits any breach of his obligations or if a receiving order is made against him or if a meeting of his creditors is called or if he is adjudicated bankrupt or if the Tenant (being a company) enters into compulsory or voluntary liquidation otherwise than for the purposes of reconstruction or amalgamation or if any distress or execution is levied on the Holding then in any such case the Landlord shall be entitled (in addition to any other right) to re-enter the Holding or any part of it in the name of the whole and bring this Agreement to an end.

SCHEDULE

Field OS No.
4976

Description
Grassland

Total

Hectares
2.661
2.661

IN WITNESS whereof the parties hereto have hereunto set their hands the day and year first above written

SIGNED on

behalf of the Landlord: [Signature]

In the presence of:

Signature of Witness: [Signature]

Full Name: John Nicholas Bower

Address of Witness: Lancashire County Property Group, PO Box 26, County Hall

Preston PR18RE Occupation: Singer

SIGNED by the Tenant: [Signature]

In the presence of:

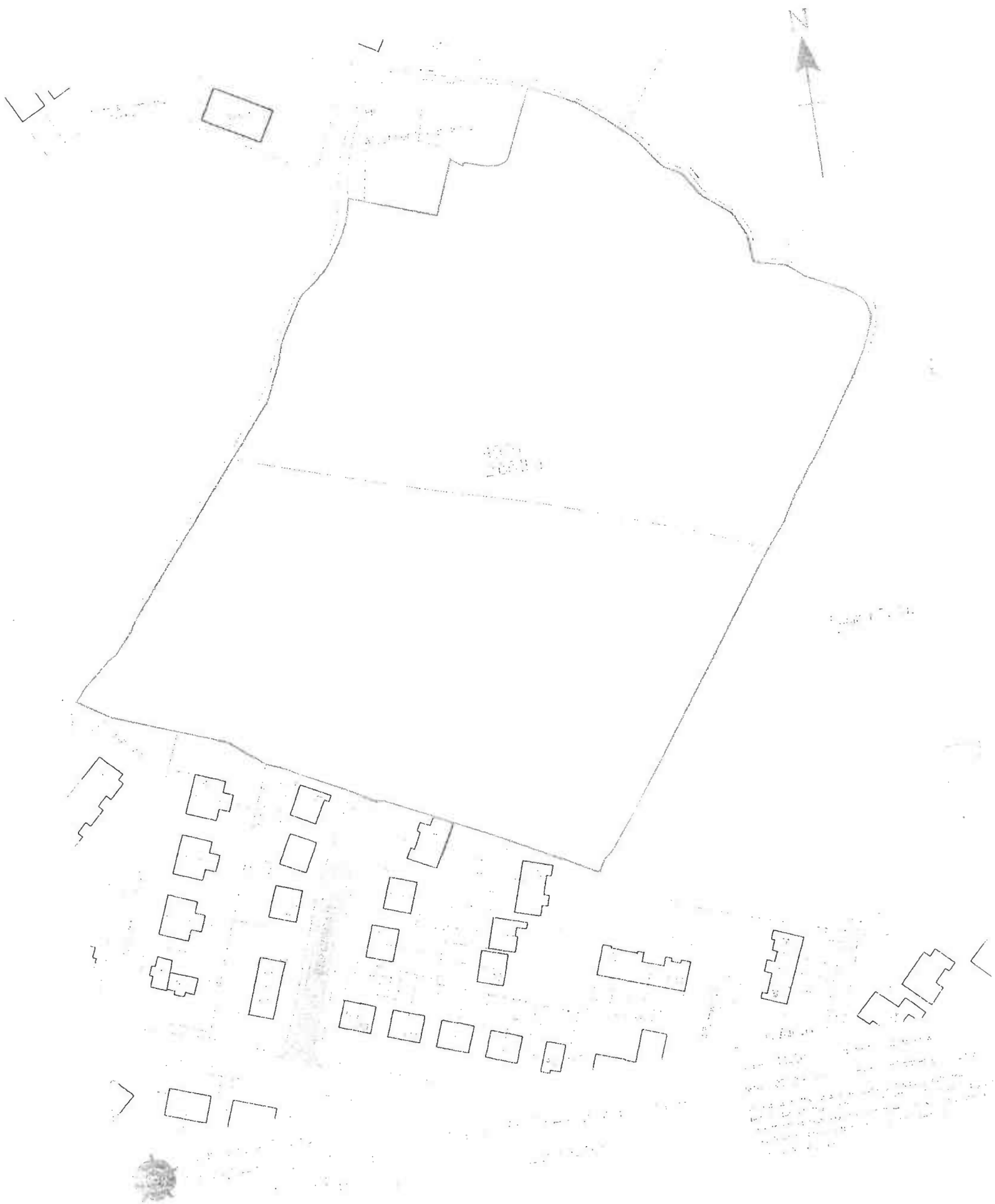
Signature of Witness: [Signature]

Full Name:

Address of Witness: 15 RYLAND ROAD

LANCASTER Occupation:

April 1998
PG/LA/INB/L2/E/MG/EJ



Messrs J and A Sheerin
Knotts Farm
Quernmore
LANCASTER
LA2 9LU

Please ask for : Mr I Bower
Telephone : (01772) 263895
Fax : (01772) 263165
E mail : nick.bower@property.lancscc.gov.uk
Your ref :
Our ref : PG/LA/INB/L2/E/MG/ZB/LK
Date : 10 September 2001

Dear Mr Sheerin

LAND AT GRESSINGHAM DRIVE, LANCASTER

I refer to the above named site in respect of you taking a cut of grass this summer from the area as shown edged red on the enclosed plan.

I would be pleased for you to take a cut of grass from the land and in order that the matter is handled formally, I should be obliged if you would return a copy of this letter to me (signed) agreeing to the terms listed below:

1. To have cut and cleared the grass by 30 September 2001.
2. To make good to the satisfaction of the Land Agency Manager any damage to fences, walls, hedges, ditches, drains, culverts arising out of cutting and carting the crop.
3. To ensure the land is left in a tidy condition.
4. To indemnify the County Council against all actions and claims in respect of accidents or personal injury to the property arising out of or during the cutting and carting of the crop.
5. On the express understanding that no licence is created by this agreement, nor does it give you a right to occupy or possess the site.

Continued ...

Messrs J and A Sheerin

10 September 2001

If you are in agreement to these terms, please sign and return the copy of this letter to this office.

Yours sincerely

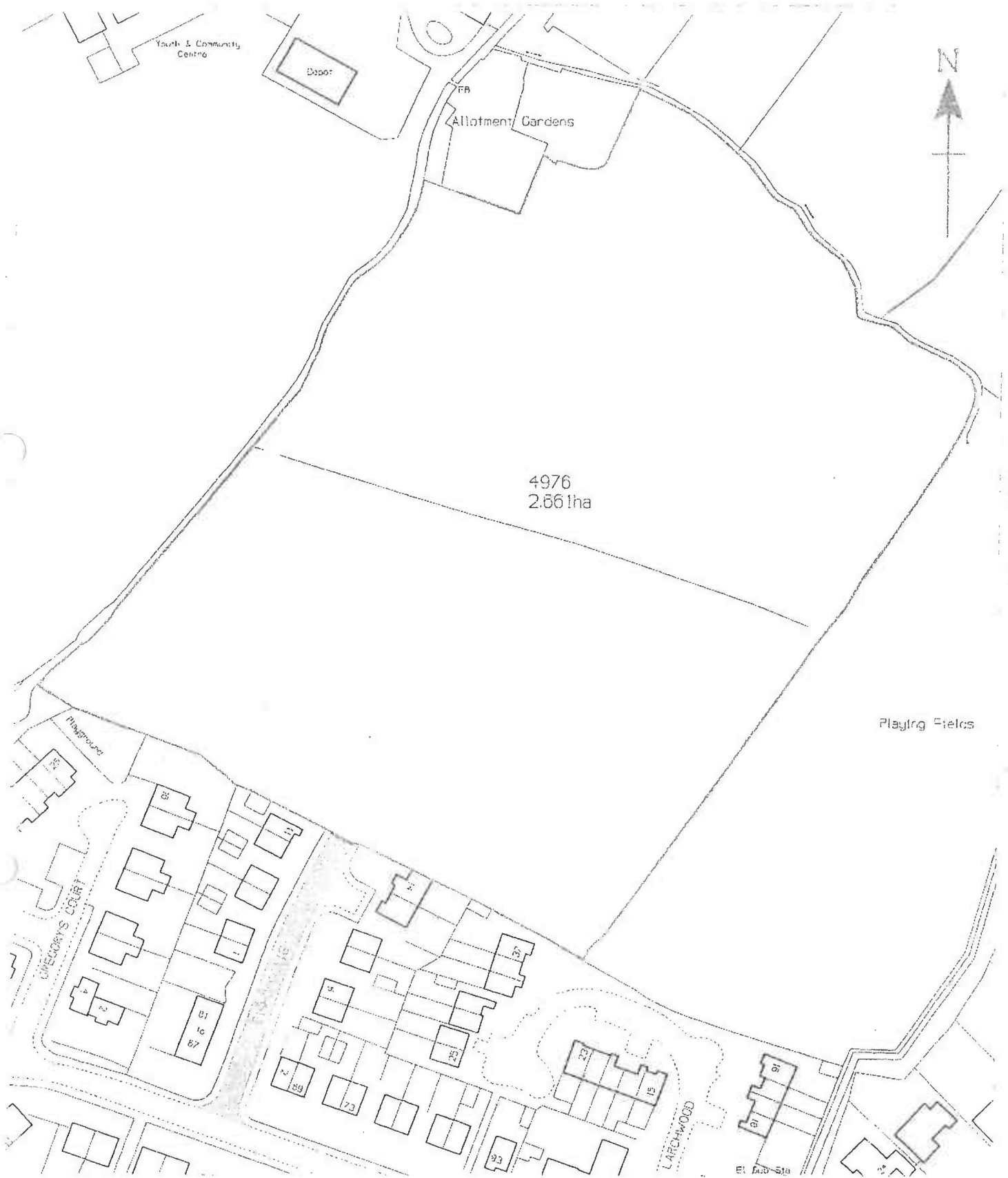


Land Agency Manager
On behalf of the Head of Property

Signed

Dated

Enclosure



Lancashire County
Property Group
County Hall
Preston

Land off Grassingham Drive
Lancaster

Scale : 1:1250 Ref : 304859nw
Date : 25/03/99 Ref : m&gness Draw : A
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Sorry kids, you can't play on this playing field

by Rachel Atkinson

DOG walkers and children playing sports have been told they are liable for prosecution if they trespass on a Lancaster playing field.

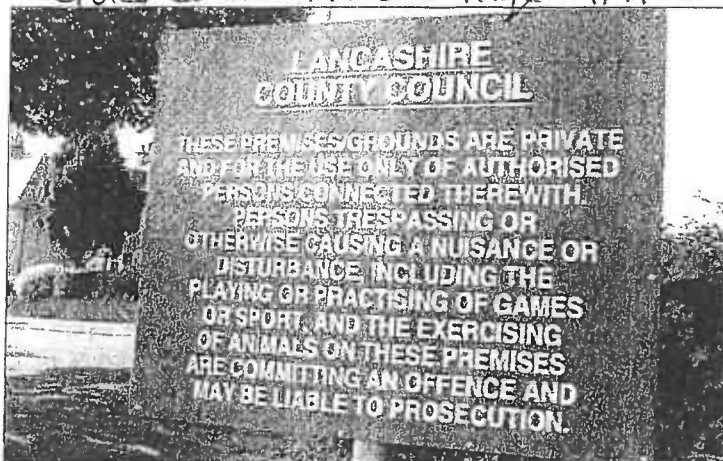
The popular Barton Road playing field has been used for decades by children and their parents but last week a notice was erected by Lancashire County Council, which owns the park, to say playing games and exercising animals was an offence.

The step was taken after complaints from residents in Barton Road. At least one has had their front window smashed by a golf ball and others have had near misses while in their cars or walking along the road.

In recent days a number of dog walkers have been told to leave the premises by police. Lancashire County Council believes it is well within its rights to have people escorted off the field because it is private land. A council spokesperson said: "The playing fields at Barton Road are private grounds for the use of local schools.

"The council maintains 'no trespassing' signs on all school playing fields and has recently replaced the signs at Barton Road.

"Members of the public can apply to White Cross Education Centre to



No sport here!...One of the council signs at Barton Road playing fields. 06090512-2

hire the playing fields for appropriate activities such as running football clubs.

"There has been a problem over the summer with the playing fields being used illegally to play golf which is dangerous and has resulted in a number of complaints from nearby residents."

Ward Coun Janie Kirkman said: "The signs are absolutely ridiculous

and were never asked for. I asked the county council for a sign specifically saying 'no golf', not 'no ball games or dog walking'.

"It is a very popular park and I've had lots of complaints about the new signs, but I'm led to believe these signs will be swapped for specific 'no golf' and 'nuisance' signs in the very near future."

rachel.atkinson@lancasterguardian.co.uk

Wendy Lidster
9 Cork Road
Lancaster
LA1 4BD

10th September 2005

To whom it may concern

Re Barton Road Playing Fields

☐ For filing ☐ or ☐ For disposal

This weekend, as usual I have gone to Barton Road playing fields to give my dog a run on the fields and have come across new signs which say that such activities are now prohibited. Could you please tell me what has happened to change this. For years those playing fields have been enjoyed by numerous people for exercising dogs or children for playing. The majority of people use them responsibly, for example I always pick up after my dog and place the waste in the bins that are provided on those grounds for that very purpose!!! Why is this no longer permitted and where do you suggest I now exercise my dog? He is an assistant dog and I am in a wheelchair. I have to give him a free run every day and obviously it has to be in an area that I can access myself. I can't take him to Williamson Park as if he toilets on the grass, it is too steep for my wheelchair for me to go and pick up after him. Where are your provisions for people like me, who were acting responsibly in enjoying a piece of free space and doing no one any harm in the process.

I eagerly await your reply

Yours truly,

W A Lidster

Dr W A Lidster



12/14/05

Charlie Hall
signed at Barker Road opposite Dalton
Hence has seen several sets of
lying at the site
and he went to opening
and connected in a 1st
checked with me. I had sign
in 7th corner and and sign etc
unified.

(7)

COMPLETION REPORT

FROM: LEGAL SERVICES UNIT
PROPERTY LAW SECTION

TO: THE PROPERTY GROUP
Ref: PG/UE/DHW/1/15/EJ
FAO: Mr G Drake
FAO: Mr J Baron
FAO: Mr M Holden
FAO: Energy Team – Mr P Nix
THE HEAD OF FINANCE
FAO: Mr M Bennett Room C27
FAO: Income Section Room T403
FAO: Insurance - P Hale Room D58
FAO: Mr S Williams (Research &
Technical Section)
THE EDUCATION AND CULTURAL
SERVICES DIRECTOR
Buildings & Devpt Services
FAO: Mrs J Blackburn
THE ENVIRONMENT DIRECTOR
FAO: Mr K Martindale
ES FILE COPY

Please ask for: Mr J Mallinson

Extension: 3452

Reference: LSG 5/JM/EA76

Date: 8th February 2002

Service Committee: Education and Cultural Services

Land & Buildings Sub-Committee Dated:

DCO 3.16/3.17

REF NO: 01/02/-82

DATED: 27th September 2001

THIS TRANSACTION HAS NOW BEEN COMPLETED.

Scheme: Formalisation of encroachment

Name of Grantor: Lancashire County Council

Name of Grantee: Mr and Mrs P J Brown

Nature of Instrument and Date: Deed of Grant of Easement 6th February 2002

Description and situation of Property: 16 Larchwood Lancaster LA1 4QG

Term: In perpetuity

Vacant Possession: -

Keys: -

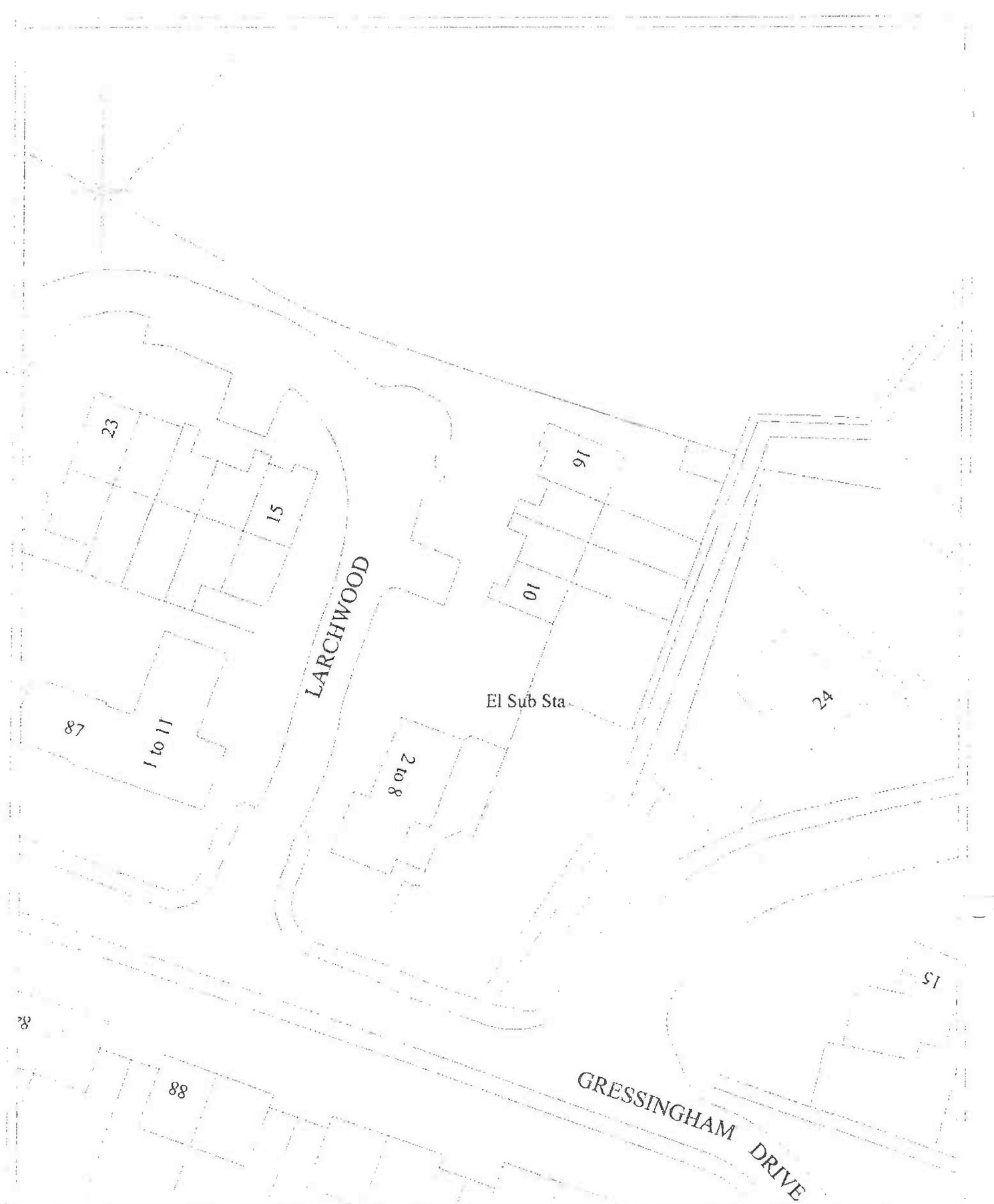
Purchase Money	Interest(net)	Legal Costs (inc VAT)	Surveyors Costs (inc VAT)	Stamp Duty fee	Land Registry fee
£100.00	£-	£100.00	£75.00	£-	£-

Legal Costs Received: £100.00

Surveyors Costs Received: £75.00

Remarks:

.....
For the Head of Legal Services



Scale : 1:500 Grid Ref SD4859ne
 Date : 15/8/2001 Plan Ref :

Land at Moorside CPS
Lancaster

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Tinsley, Imelda

From: Haworth, Martin
Sent: 26 August 2005 14:44
To: Smith, Barbara
Cc: Tinsley, Imelda; Swindlehurst, William
Subject: RE: Barton Road Playing Fields, Lancaster

Barbara

Both Charlie and David have spoken to me. The signs are to go up next week. There already is a sign at Barton Road so I have told the local councillor.

Thanks for your prompt help.

Martin

-----Original Message-----

From: Smith, Barbara
Sent: 26 August 2005 13:11
To: Cropper, David
Cc: Haworth, Martin
Subject: FW: Barton Road Playing Fields, Lancaster
Importance: High

David, I am referring this to you in Charlie Holl's absence.

I have received an e-mail from Martin Haworth, Estates Manager informing us that they continue to receive telephone calls complaining about the danger from golf balls. Allegedly, there were about eight people hitting golf balls on Thursday evening, 25 August 2005.

The Police have said to a local councillor that they will speak to them but only if signs are erected saying 'No Golf' or other suitable wording.

Is there any chance of some temporary signs being put up this weekend whilst permanent ones are on order?

Please can you get back to me to me or Lynne Bradley as soon as possible.

Thanks

-----Original Message-----

From: Smith, Barbara
Sent: 22 August 2005 16:00
To: Holl, Charles
Subject: FW: Barton Road Playing Fields, Lancaster

Further to my telephone phone call with Lynne Thompson please can you order two no trespass notices and arrange for them to be erected on Barton Road Playing Fields, Lancaster as a matter of urgency.

Please use budget code EKK1510001509900

Please let me know when this has been completed.

Many thanks,
Barbara

-----Original Message-----

From: Blackburn, Julie
Sent: 19 August 2005 12:28
To: Smith, Barbara
Cc: Tinsley, Imelda
Subject: FW: Barton Road Playing Fields, Lancaster
Importance: High

Babs,

Please ask Property Services area office to arrange for two no trespass notices to be erected on this field as a matter of urgency to be coded to EKK151000 – 1509900.

Thanks,

*Julie Blackburn.
Administrative Officer - Sites.
Buildings & Development Team.
01772 531778.*

-----Original Message-----

From: Tinsley, Imelda
Sent: 19 August 2005 12:19
To: Blackburn, Julie
Subject: FW: Barton Road Playing Fields, Lancaster

Julie

Following our discussion this morning concerning the playing fields above please see the email below.

I would obliged if you could organise the erection of appropriate signs at the site.

Regards

Imelda

From: Swindlehurst, William
Sent: 19 August 2005 12:12
To: Tinsley, Imelda
Cc: Walker, David; Haworth, Martin
Subject: RE: Barton Road Playing Fields, Lancaster

Imelda

Thanks for your briefing on the Barton Road Playing Fields. I have spoken again with Councillor Mrs Kirkham (she is the Ward Councillor for Scotforth East) who confirmed that there are no prohibition signs on the field; consequently the Police are powerless to take action against trespassers.

As such, Mrs Kirkham asked if the LEA would arrange for signs to be erected as soon as possible. Hopefully, the Police will then take action against the unauthorised golfers, who are using the field and causing damage to local residences.

Would you please refer this to Julie.

Thanks.

Bill

Evidence to Oppose Right of Way Application at Moorside Primary School

Index

Aerial view of the land and map

Map with identified points

Title deeds

Photographs of the area

i Signage at access points

ii Points of access to the land

iii Pathways across the land

iv Aerial photographs of the playing fields

Evidence forms from members of the community

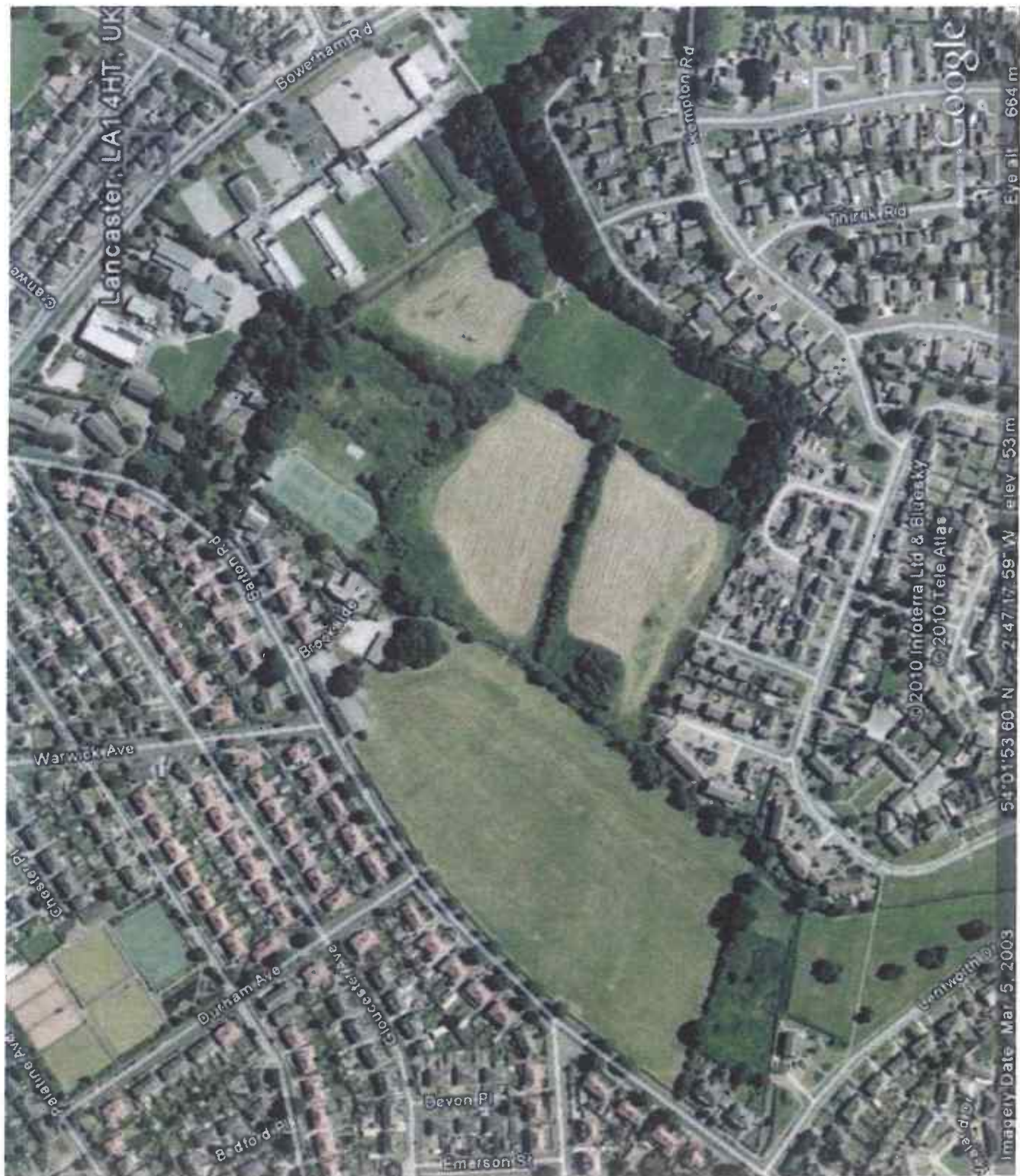
Photographs / press cuttings

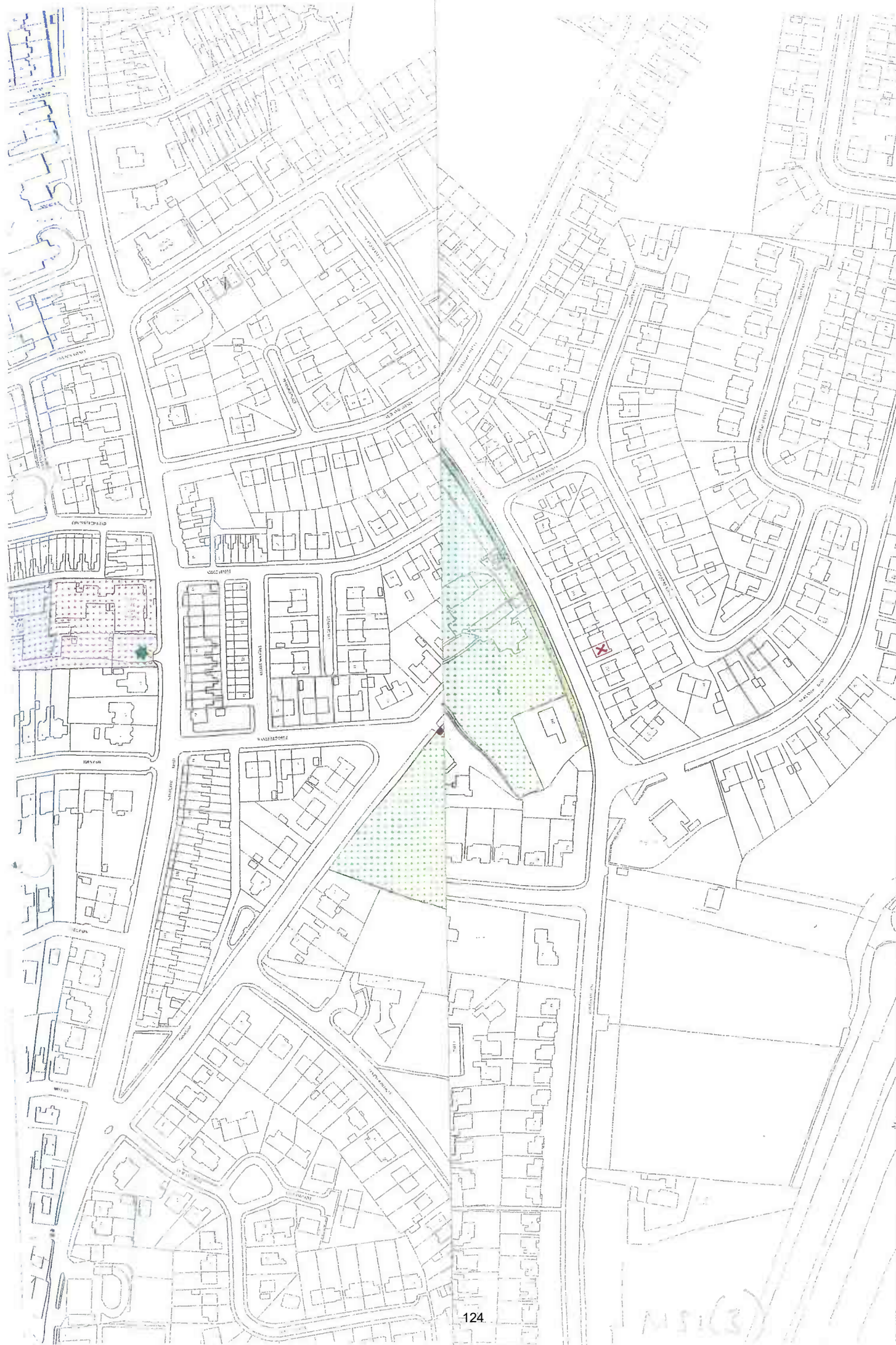
Staff Evidence

Junior Fun Run

Junior Sports day

Response to user evidence forms submitted by the applicant





MSI(3)

tel

(01772) 533874

fax

(01772) 533550

e-mail

david.walker@property.lancscc.gov.uk

Mr L Guest
Moorside Primary School
Bowerham Road
LANCASTER
Lancashire
LA1 4HT

Your ref

Our ref

Date:

PG/UE/DHW/1/15/LK

17 October 2008

Dear Sir

MOORSIDE PRIMARY SCHOOL, BOWERHAM ROAD, LANCASTER

I refer to the meeting at School on 14 October 2008 when we discussed issues relating to County Council ownership and access issues to the school site.

Please find enclosed the ownership proof you require. The site was purchased by Lancashire County Council in 1948 from Mr Joseph Dilworth. This Conveyance didn't have a plan attached with it, but you will note that it refers to the land indicated in the previous Conveyance between Coulston and Dilworth of 1945 of 13.887 acres, and I enclose the plan attached to this Conveyance.

You will note that this plan is the area that is now the asset of Moorside Primary School.

With regard to the area that you weren't sure was owned by the County Council and you referred to as the allotment land, this area was let for many years to the Moorside Allotment Association but was returned back to the County Council/School in 1995.

Please let me know if you require anything further.

Yours faithfully



David Walker BSc (Hons) MRICS
Estates Surveyor
On behalf of the Director of Property

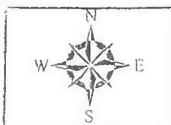
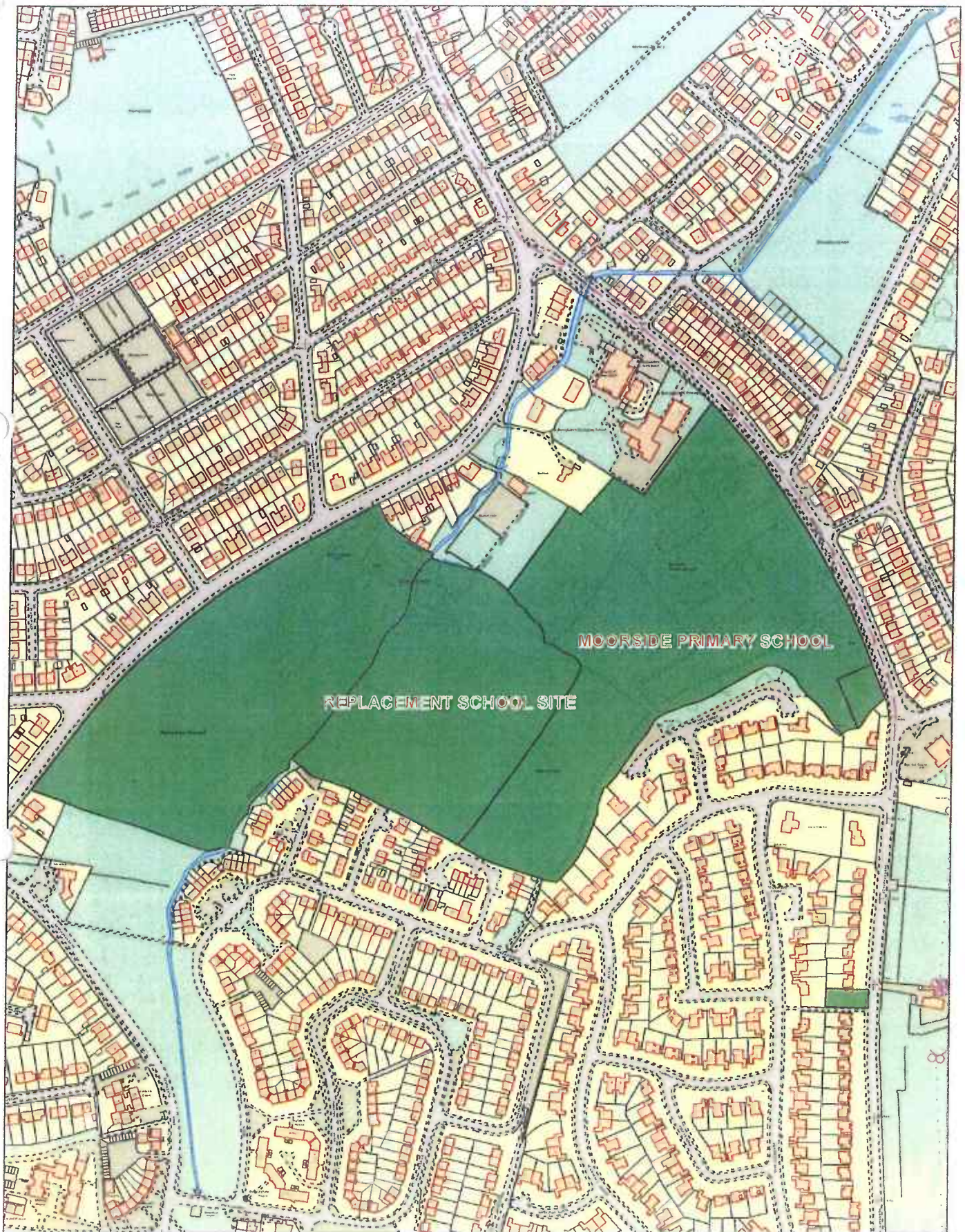
Enclosure

David Walker BSc (Hons) MRICS
Estates Surveyor
Property Group • PO Box 26 •
County Hall • Preston • PR1 8RE



2004-2005
Transforming the School Workforce
2006-2007
Positive Youth Engagement
(in the community and
Democratic Process)
2007-2008
Healthy Schools

Moorside Primary School, Lancaster



Scale 1:4000

LCC Map Ref: 59372

Created: 20/10/2008

(Scale correct when printed on A4 Portrait)

By David Walker

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Dated 29th June 1918

Mr Joseph Dilworth

to

The Lancashire County Council

Conveyance

of

land in Bowerham Lane, Salford
in the City of Lancaster

Transferred

31st March
1995.

15836



This Indentance

is made the
twenty nine
day of June

One thousand nine hundred and forty eight Between
Joseph Dilworth of Damside Street in the
City of Lancaster Builder and Contractor hereinafter
called "the Vendor" of the one part and The County
Council for the Administrative County
of the County Palatine of Lancaster

(hereinafter called "the County Council") of the other
part Whereas the Vendor is seized in fee simple in
possession free from incumbrances of the property hereinafter
described and has agreed to sell the same to
the County Council for a like estate in possession free
from incumbrances at the price of One thousand eight
hundred and fifty pounds

Now this Deed witnesseth as follows:-

In pursuance of the said agreement and in con-
sideration of the sum of One thousand eight
hundred and fifty pounds now paid by
the County Council to the Vendor (the receipt whereof
the Vendor hereby acknowledges -) the Vendor as
beneficial owner hereby conveys unto the County Council
All these several close of land part of brelands
Garm and Scotforth Hall Farm situate at Scotforth
in the City of Lancaster containing 15,887 acres or
thereabouts with a frontage to Boarham Lane which

such close of land are now particularly cleared

in a convenience dated the thirtieth day of March

the thousand nine hundred and forty five and

made between John Albert Coulter and the

first part James Stewart, Henry and Robert Stewart

and the second part and the second of the

land that are with the remainder and adjacent

thereof more particularly delineated in the map as

shown annexed thereto and shown edged with 20

feet the same into the County Court in fee simple

2. It is hereby certified that the transaction hereby

effected does not form part of a larger transaction

or of a series of transactions

It is further certified that the County Court in fee simple

cannot then, however, be so far as to affect

the day and year first before written

Signed sealed and delivered

by the said Justice of the Peace

James

in the presence of

The Notary Public - 14th December 1969
as to the same in presence of James Vickers
with Bond

Sealed

1783

Captain J. R. L. Boulton.

to

Mr. Joseph L. L. Boulton.

Conveyance

of

Several closes of land
situate in Boultonham
Lane Scorsforth in the
City of Lancaster.

J. S. Kayton.
Lancaster.

2551

3. Photographs of the Area

Moorside Fields

1. Signage advising public that land is council-owned



1i. Barton Road Youth and Community Centre (A). Grid ref: 348382,459895



1ii. Barton Road Youth and Community Centre



1iii. Barton Road Fields (south) (D)
Grid ref: 348298,459649



1iv. Barton Road Fields (south)



1v Moorside School Playing fields (E) Grid ref: 348650,459758

2. Points of access to the land

Entrance to / exit from the area is via four points on Barton Road fields side – marked A/B/C/D/E with grid refs on the attached map.

Point E on the plan is the gated exit from Moorside School playing fields to the cycle path (gated to allow access for grounds maintenance vehicles)



A. Barton Road by Community Centre



B. Barton Road opposite Durham Ave



C. Barton Road opposite Wakefield Drive



D. Access from Lentworth Road end



E. The junction of the Moorside School playing fields and the cycle path, where the right of way is claimed.

205/183

3. Paths across the land

There are no clearly defined pathways across Barton Road field.



3i. Barton Road field looking towards Barton Road



3ii. Barton Road Field looking towards Gressingham Avenue



3iii. Google map of Barton Road field – no clear pathway / right of way identifiable.

From Barton Road field, the central area is accessed via two points across the beck, marked F and G and grid referenced on the attached plan.



3iv. Barton Road field towards Moorside Fields (F)



3v. Barton Road field towards Bishopsgate / Gregory's Court (G)

From the two points crossing the brook there is a network of paths, not a single straight line route, per the application.



3vi. From point F looking eastwards



3vii. From point F looking South-West

On the google map the two points crossing the beck can be identified, however, no single clear path can be seen across the central piece of land.

Along the boundary of Moorside school playing fields (at point H), the path heads approximately South-West and enters the wooded area behind Larchwood (photo 3viii) a pathway then carries on through the wooded area at the southerly end of the playing field, towards the cycle path (from point I to J).



3viii From point H looking south-west



3ix From point I towards point J



3x From point J towards point I

There is no clear identifiable pathway across the playing field.



3xi. From playing field boundary (mid point F-G) looking towards cycle path (point E)



Aerial image (taken before installation of the gate) which does not show any clearly worn route from H to E. Note also goal posts which show that the grounds are used as a playing field.



The view of the same area facing south shows the previous boundary of the playing field before the creation of the cycle path and the new fence. The gate was installed at point E. An old stone gatepost near point E shows that a gate had previously existed in that place.



4. Evidence forms from members of the community

Attached:

all MSI(18)

46 forms from members of the local community, former pupils and parents of current pupils which demonstrate, over a period from 1955 to date, that there is an understanding within the community that the land forms part of the grounds of Moorside Primary School.

Many quote signage in their evidence – signage currently in place and that which has been there historically.

A large number also state that their choice of school for their children was based on a visit to the school when the extent of the grounds was shown to them.

Many recall use of the fields for school events from their own childhood as well as more recently.

Includes 2 forms stating that the respondent has contacted the school to request access to the fields – granted by the school.

Includes 19 forms stating that respondents have observed others abusing the fields – mainly dog walkers / dogs off the lead / fouling.

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	☒ Yes / No
How do you know? <i>We were told this when we first viewed the school.</i>	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
☒ A	☒ B	C	D	☒ E	

Have you attended school events on any parts of the land?	☒ Yes / No
Which parts (if any) (please circle)	☒ A ☒ B C D E

Please list the events you have attended and the approximate dates

Event	Date
School Fair	2009
Sports Day	2009
Fun Day	2009

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	Yes / ☒ No

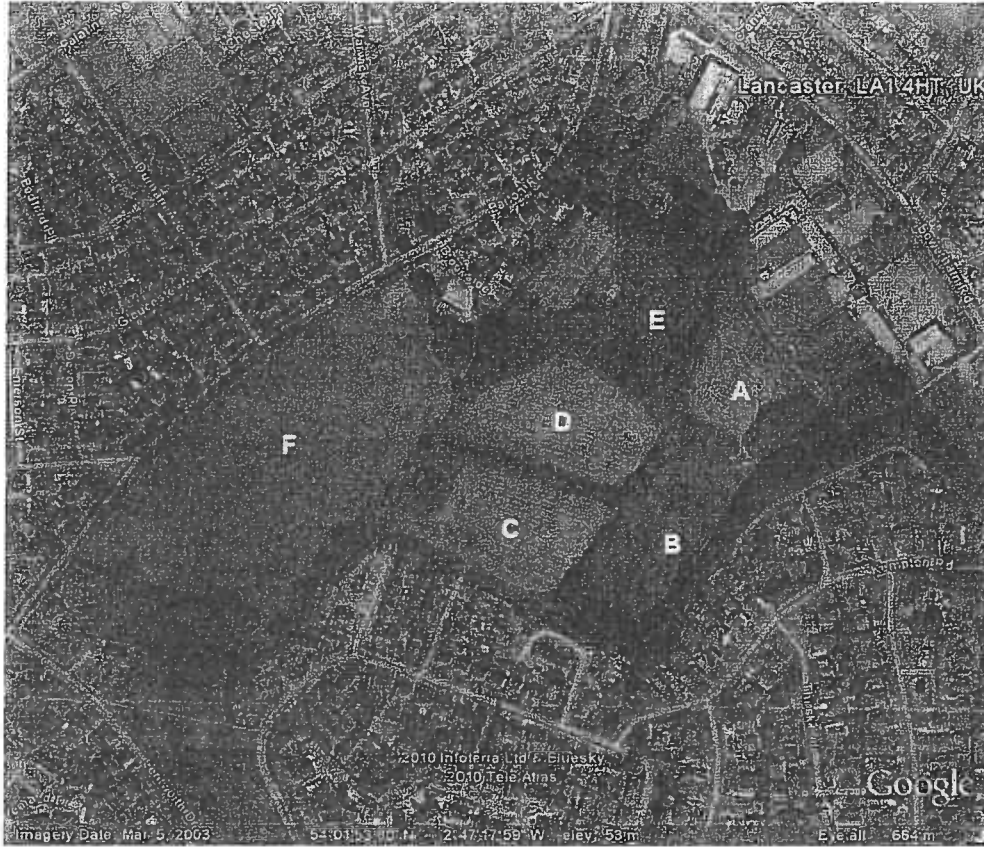
Please give any additional comments

The Schools offer is too generous. Maintain the woodland area for exclusive use by the school. Agree with the access path at the far side of the field.

Name	DR Y. S. SETH
Address	67 WINCHESTER AVE. LA1 4HX

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	<u>Yes</u> / No
How do you know? Told by school.	

Which parts, if any, do you think belong to Moorside School? (Please circle)				
<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	E

Have you attended school events on any parts of the land?	<u>Yes</u> / No
Which parts (if any) (please circle)	<u>A</u> <u>B</u> C D E

Please list the events you have attended and the approximate dates	
Event	Date
Several football matches. School fairs	July 08

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	Yes / No

Please give any additional comments School should be given all rights to this area. Children from school should have access to it (safely) without dog dirt etc.

Name	Sadie McKeand
Address	35 Bridge Rd Lancaster.

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	Yes / No ☒ / ☐
How do you know? <i>The headteacher explained about the campus and buildings when I applied a place for my child in July 2008.</i>	
Which parts, if any, do you think belong to Moorside School? (Please circle)	
(A) (B) (C) (D) (E)	

Have you attended school events on any parts of the land?	Yes / No ☒ / ☐
Which parts (if any) (please circle)	(A) (B) (C) (D) (E)

Please list the events you have attended and the approximate dates	
Event	Date
Summer fair	June 2009
Sports days	can't remember the exact date. but it was in 2009.

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

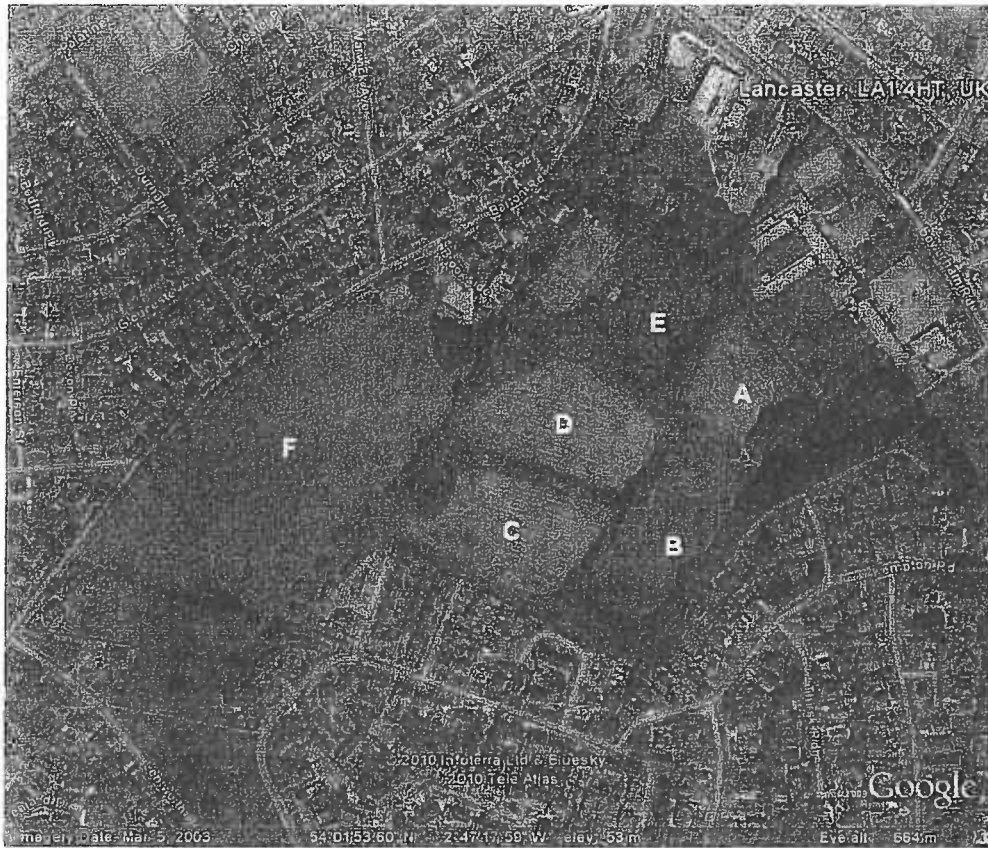
Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments I think the school's offer is reasonable enough to considering the community's needs. We would stand by the school for the children's right.
--

Name	DEBORAH GEFANG
Address	17 Palatine Ave Lancaster LA1 4HD

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	(Yes) / No
How do you know?	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
(A)	(B)	(C)	(D)	(E)	

Have you attended school events on any parts of the land?	(Yes) / No
Which parts (if any) (please circle)	(A) (B) C D (E)

Please list the events you have attended and the approximate dates	
Event	Date
Summer fairs Sports days	2008, 2009 (June July)

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments The community group wants to use that land school land to gain easy access from Barton to Bowerham Rd. The access through school ground will <u>not</u> reduce their walk to a great extent. I feel that it will be much better if that land remains in the control of school.
--

Name	Dr Kauchan Mukherjee
Address	44 Tithebarn Hill Glasson Dock Lancaster LA2 0DJ

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	<u>Yes</u> / No
How do you know? <i>I assumed A, B and E were owned by Moorside School, and the rest to the Council.</i>	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
<u>A</u>	<u>B</u>	C	D	<u>E</u>	

Have you attended school events on any parts of the land?	<u>Yes</u> / No
Which parts (if any) (please circle)	<u>A</u> <u>B</u> C D E

Please list the events you have attended and the approximate dates

Event	Date
School Fair, Box	June - July every year 2002 - 2004
School Sports Days	"

Have you ever asked permission to use the fields?	Yes / <u>No</u>
If so, who did you ask?	
And did they give you permission?	Yes / No <u> </u>

Have you ever observed others abusing the fields?	Yes / <u>No</u>
---	-----------------

Have you ever been asked to leave the fields?	Yes / <u>No</u>
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	<u>Yes</u> / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	<u>Yes</u> / No

Please give any additional comments

It is important for the School to be able to fence off the fields, to ensure intensive and safe use. The compromise offer allows other members of the community to cross the area comfortably

Name	ELENA SEMINO
Address	1 Lily Grove, Lancaster

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	Yes / No
---	----------

How do you know? *I assumed that A and B were owned by the school because they've been using it for as long as I can remember. I assumed the Council owned the rest.*

Which parts, if any, do you think belong to Moorside School? (Please circle)					
A	B	C	D	E	

Have you attended school events on any parts of the land?	Yes / No
Which parts (if any) (please circle)	A B C D E

Please list the events you have attended and the approximate dates

Event	Date
Sports days Summer Fairs	Annually every summer from 2002.

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments

I strongly support the fencing off of the school grounds to enable the children to play freely and safely (and without risk of dog fouling).

Name	S. V. CULPEPER <i>S.V. Culpeper</i>
Address	1 LILY GROVE LANCASTER LA1 4TR

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	Yes / No
How do you know? <i>Have known A & B were Moorside Fields since I was a child in 1978/9 & played Shuttle Ball against them (I was at Caton St. Paul's). Also seen signs that it is Lancs County Council land.</i>	
Which parts, if any, do you think belong to Moorside School? (Please circle)	
A B C D E	
Have you attended school events on any parts of the land?	Yes / No
Which parts (if any) (please circle) <i>School fields.</i>	
A B C D E	

Please list the events you have attended and the approximate dates

Event	Date
School Pairs in summer	2006
	2007
Skittleball tournaments against	2008
Moorside as a child:	2009.
	1977-80.

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments The safety and welfare of children has to be paramount. A reasonable compromise has been offered to the community. I live on the other side of town but specifically chose Moorside School because of its fields & the way it uses them. I was told by Len Quest in 2006 that the land managed by the school was A, B & E.

Name	KATE MIDGLEY
Address	10 Brookholme Court Lancaster LA1 5TP.

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	☒ Yes ☐ No
How do you know? <i>because when I visited the school in summer 2004 as a prospective parent, Mr. Guest showed me clearly what belonged to the school</i>	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
☒ A	☒ B	☐ C	☐ D	☒ E	

(I used to think C and D too!)

Have you attended school events on any parts of the land?	☒ Yes ☐ No
Which parts (if any) (please circle)	A ☒ B ☐ C ☐ D ☐ E

Please list the events you have attended and the approximate dates

Event	Date
Junior Sports Day	July 2009
Sports + Games Evening	June / July 2009
PTA Summer Fair	July 2008

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments As a parent, it is unacceptable to allow the public to freely use school property. My children have witnessed people exercising unleashed dogs through sports lessons, allowing the dogs to defecate and not picking it up. They feel threatened and disgusted.

Name	S. Dodd
Address	40 Connaught Road, Lancaster LA1 4BQ

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	Yes / ☒ No
How do you know?	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
☒ A	☒ B	☒ C	☒ D	☒ E	

Have you attended school events on any parts of the land?	Yes / No
Which parts (if any) (please circle)	A ☒ B ☒ C ☒ D ☒ E

Please list the events you have attended and the approximate dates

Event	Date
Summer fete Sports Day	2008 2009

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments The fencing should go up for the safety of our children. To protect the land. To prevent people from wandering into the school. The children must be considered to be the <u>main priority</u> at <u>all times</u>, and to promote sports.
--

Name <u>Melanie Sheerman & David Sheerman</u> Address <u>19 Colclidge Avenue, Abraham Heights</u> <u>Lancaster - LA1 5ER</u>
--

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	☒ Yes / No
How do you know? I visited the School in the Spring term of 2005, possibly earlier, to see what it had to offer in relation to choice of primary school. I was informed during my visit that the land belonged to school	
Which parts, if any, do you think belong to Moorside School? (Please circle)	
☒ A ☒ B ☐ C ☐ D ☐ E	
I have lived in Bowerham since 1995, and understood the land, specifically A+B belonged to Moorside School.	
Have you attended school events on any parts of the land?	☒ Yes / No
Which parts (if any) (please circle)	☒ A ☒ B ☐ C ☐ D ☐ E

Please list the events you have attended and the approximate dates

Event	Date
PTA family games evening Summer fair - horse riding	June 2009 July 2008

Have you ever asked permission to use the fields?

Yes / ☒ No

If so, who did you ask?

And did they give you permission?

Yes / No

Have you ever observed others abusing the fields?

Yes / ☒ No

Have you ever been asked to leave the fields?

Yes / ☒ No

If so, who asked you to leave?

Are you aware of the compromise offer to the community?

☒ Yes / No

Do you consider this an acceptable compromise which meets your needs and the needs of the school?

☒ Yes / No

Please give any additional comments

I feel it is essential that the school secures the land, particularly A+B for the health and safety of the children.

I think that there should be some access to the cycle track from Barton Road fields and that the compromise offered is fair, and reasonable.

Name

Ceri Kennedy

Address

117 Bowerham Rd.
Lancaster
LA 14HJ:

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	(Yes) / No
How do you know? <i>We were told this by Mr Guest when we first viewed the school.</i>	

Which parts, if any, do you think belong to Moorside School? (Please circle)
(A) (B) C D (E)

Have you attended school events on any parts of the land?	Yes / No
Which parts (if any) (please circle)	(A) (B) C D E

Please list the events you have attended and the approximate dates

Event	Date
School Fair	2009
Sports Day	2009
Fun Day	2009
Football practice	2009

Have you ever asked permission to use the fields?

Yes / ☒ No

If so, who did you ask?

And did they give you permission?

Yes / No

Have you ever observed others abusing the fields?

Yes / ☒ No

Have you ever been asked to leave the fields?

Yes / ☒ No

If so, who asked you to leave?

Are you aware of the compromise offer to the community?

☒ Yes / No

Do you consider this an acceptable compromise which meets your needs and the needs of the school?

Yes / ☒ No

Please give any additional comments

I feel the compromise is too generous. The community have a generous allocation of open space already. The woodland is of important educational significance. The kind way however, is acceptable ~~the~~ & it feels like we are being bullied by greed!

Name

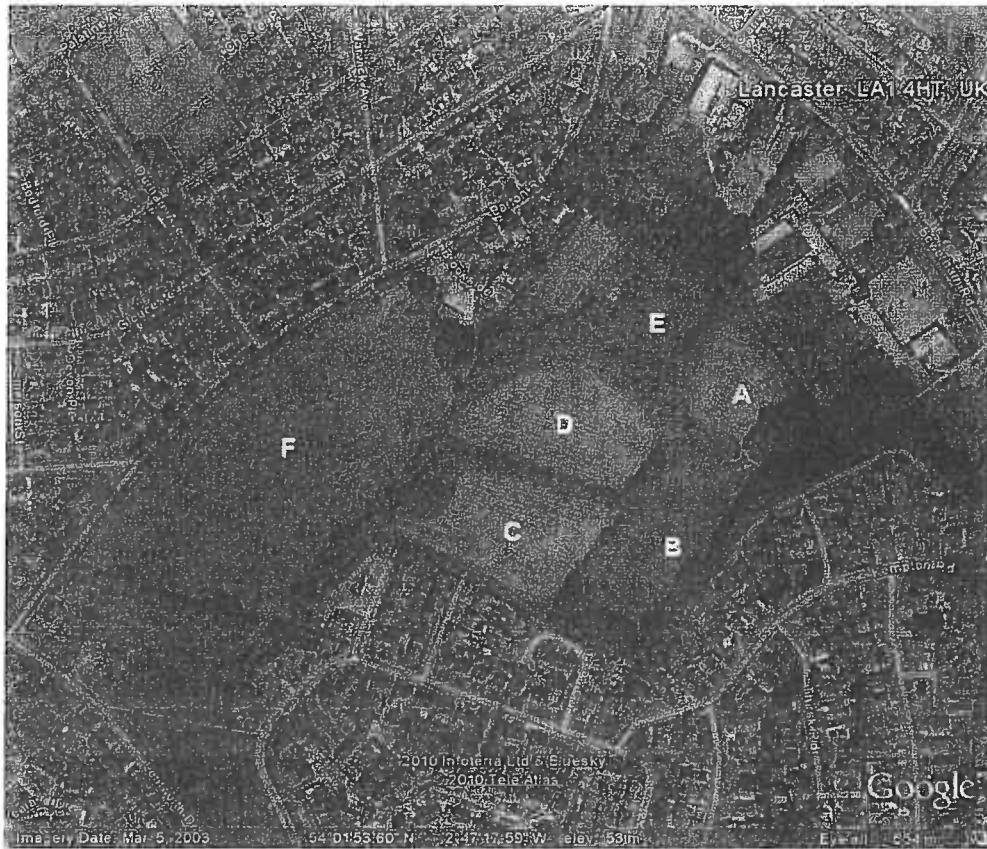
Adrienne Setu

Address

67 Winchester Ave
LA1 4HX

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	☒ Yes / ☐ No
---	---

How do you know?	
<i>inferred by school when children first started at Moorside (7yrs ago)</i>	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
☒ A	☒ B	C	D	☒ E	

Have you attended school events on any parts of the land?	☒ Yes / ☐ No
Which parts (if any) (please circle)	☒ A ☒ B ☐ C ☐ D ☐ E

Please list the events you have attended and the approximate dates	
Event	Date
Spent day Summer Fayre.	Annually for past 7 yrs

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / ☒ No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

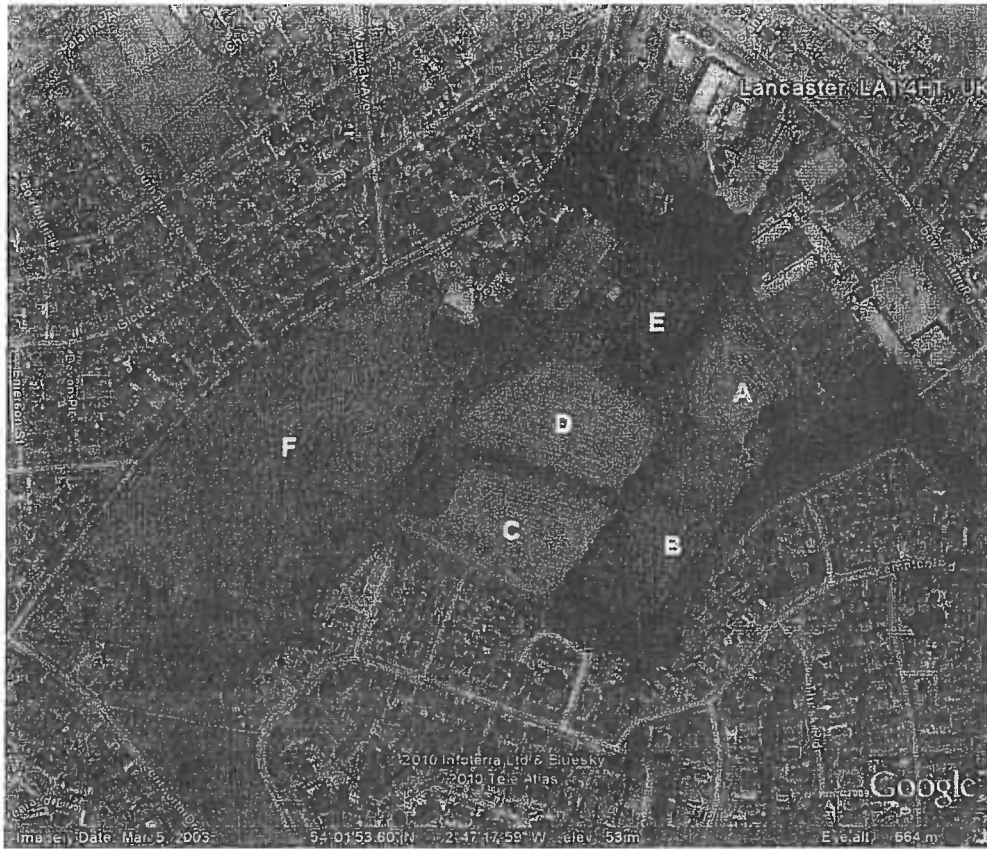
Are you aware of the compromise offer to the community?	☒ Yes / ☐ No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / ☐ No

Please give any additional comments

Name
Address

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	☒ Yes / No
How do you know? As my school children who attend Moorside school use this for sports etc.	

Which parts, if any, do you think belong to Moorside School? (Please circle)	
☒ A	☒ B C D ☒ E

Have you attended school events on any parts of the land?	☒ Yes / No
Which parts (if any) (please circle)	☒ A ☒ B C D E

Please list the events you have attended and the approximate dates

Event	Date
Sports Days & Fund Raising Events.	Annually for the last 7 years.

Have you ever asked permission to use the fields?

Yes / ☒ No

If so, who did you ask?

And did they give you permission?

Yes / No ☒ / ☒

Have you ever observed others abusing the fields?

Yes / ☒ No

Have you ever been asked to leave the fields?

Yes / ☒ No

If so, who asked you to leave?

Are you aware of the compromise offer to the community?

☒ Yes / No

Do you consider this an acceptable compromise which meets your needs and the needs of the school?

☒ Yes / No

Please give any additional comments

Name

Blane - C Sloane

Address

175 Scotforth Rd
Lancaster -

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	Yes / No
How do you know? <i>Information from school</i>	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
(A)	(B)	C	D	(E)	

Have you attended school events on any parts of the land?	Yes / No
Which parts (if any) (please circle)	A B C D E

Please list the events you have attended and the approximate dates	
Event	Date

Have you ever asked permission to use the fields?	Yes / No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / No
---	---------------------

Have you ever been asked to leave the fields?	Yes / No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	Yes / No

Please give any additional comments

Name	Lucy MacCulloch and Angus MacCulloch
Address	44 Shrewsbury Drive Lancaster LA1 4BA

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	☒ Yes / ☐ No
How do you know? HISTORICALLY I USED TO ATTEND MOORSIDE SCHOOL	

Which parts, if any, do you think belong to Moorside School? (Please circle)	
☒ A	☒ B
☒ C	☐ D
☐ E	

Have you attended school events on any parts of the land?	☒ Yes / ☐ No
Which parts (if any) (please circle)	A ☒ B ☐ C ☐ D ☐ E

Please list the events you have attended and the approximate dates	
Event	Date
MANY SCHOOL EVENTS ROUNDERS, FOOTBALL, SPORTS DAYS ATHLETICS, ETC.	1955 - 1961.

Have you ever asked permission to use the fields?	Yes / <u>No</u>
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / <u>No</u>
---	-----------------

Have you ever been asked to leave the fields?	Yes / <u>No</u>
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	<u>Yes</u> / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	<u>Yes</u> / No

Please give any additional comments
THERE ARE ALTERNATIVE PATHWAYS WITHOUT USING SCHOOL FIELDS. WHY IS EVERYONE SO INTENT ON TAKING IMPORTANT SCHOOL LAND. DO THE CHILDREN OF THE FUTURE NOT MATTER. I THINK THEY DO SO PLEASE COMMON SENSE SHOULD PREVAIL

Name	MRS. M. GOWNT
Address	19, HEVERSHAM CLOSE LANCASTER

Moorside School Fields

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Do you know who owns the land labelled A-E?	Yes / <u>No</u>
How do you know? <i>Len Guest told us at 1st visit to school</i>	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
<u>A</u>	<u>B</u>	C	D	<u>E</u>	

Have you attended school events on any parts of the land?	Yes / <u>No</u>
Which parts (if any) (please circle)	A B C D E

Please list the events you have attended and the approximate dates	
Event	Date

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments One of the reasons ^(we had many) we chose Moorside Primary school was because of the large grounds. Our son loves being outdoors and we felt that a school with large grounds would be beneficial to him. Outdoor sports/play is very important. To lose this would be very disappointing + shouldn't happen.

Name	Karen Rowbottom
Address	9 Chester Place Lancaster LA1 4HA

Moorside School Fields

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Do you know who owns the land labelled A-E?	☒ Yes / No
How do you know? I have always known it is owned by Lancashire County Council but used by Moorside School.	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
☒ A	☒ B	C	D	E	

Have you attended school events on any parts of the land?	☒ Yes / No
Which parts (if any) (please circle)	☒ A ☒ B C D E

Please list the events you have attended and the approximate dates	
Event	Date
Sports Days, General PE lesson,	1974 - 1981

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

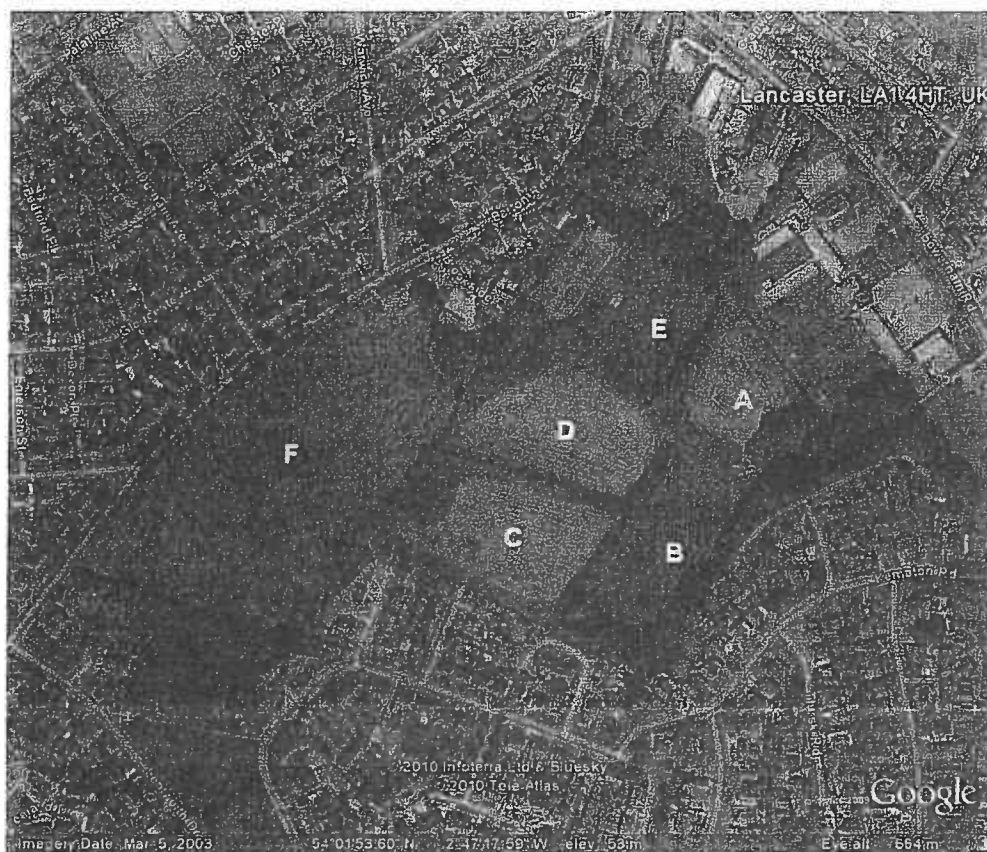
Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments I attended moorside school between 1974 - 1981 and remember that we used the school field for sports days and rounders, etc. I also remember even then there was trouble with dog fouling in this area.

Name	Joanne Johnson
Address	40 Dintworth Drive Standon G96C Lancaster LA1 3RJ

Moorside School Fields

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Do you know who owns the land labelled A-E?	<u>Yes</u> / No
How do you know? I have always known it belong to Lancashire County Council and used by moorside school.	

Which parts, if any, do you think belong to Moorside School? (Please circle)
A B C D E

Have you attended school events on any parts of the land?	<u>Yes</u> / No
Which parts (if any) (please circle)	A B C D E

Please list the events you have attended and the approximate dates

Event	Date
Sports days	1974 1981

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments

my child attended moorside between 1974 1981 and
 I attend sports days and know they used it for
 P.E. such as rounders and football.

Name Lynn Peider

Address 27 BRUNTON RD.
 Sneaves
 Lancaster LA1 4UA

Moorside School Fields

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Do you know who owns the land labelled A-E?	☒ Yes / No
How do you know? Informed by Len Givett (Headmaster - Moorside School) when I was shown around school as potential parent, seven years ago.	
Which parts, if any, do you think belong to Moorside School? (Please circle)	
☒ A ☒ B C D E	
Have you attended school events on any parts of the land?	☒ Yes / No
Which parts (if any) (please circle)	☒ A ☒ B C D E

Please list the events you have attended and the approximate dates

Event	Date
School Fayres - numerous	2003 - 2010
Sports Days - annually	2003 - 2010
Football Tournaments - Various	2003 - 2010

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	I would ask Len Guest - Headmaster if required
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

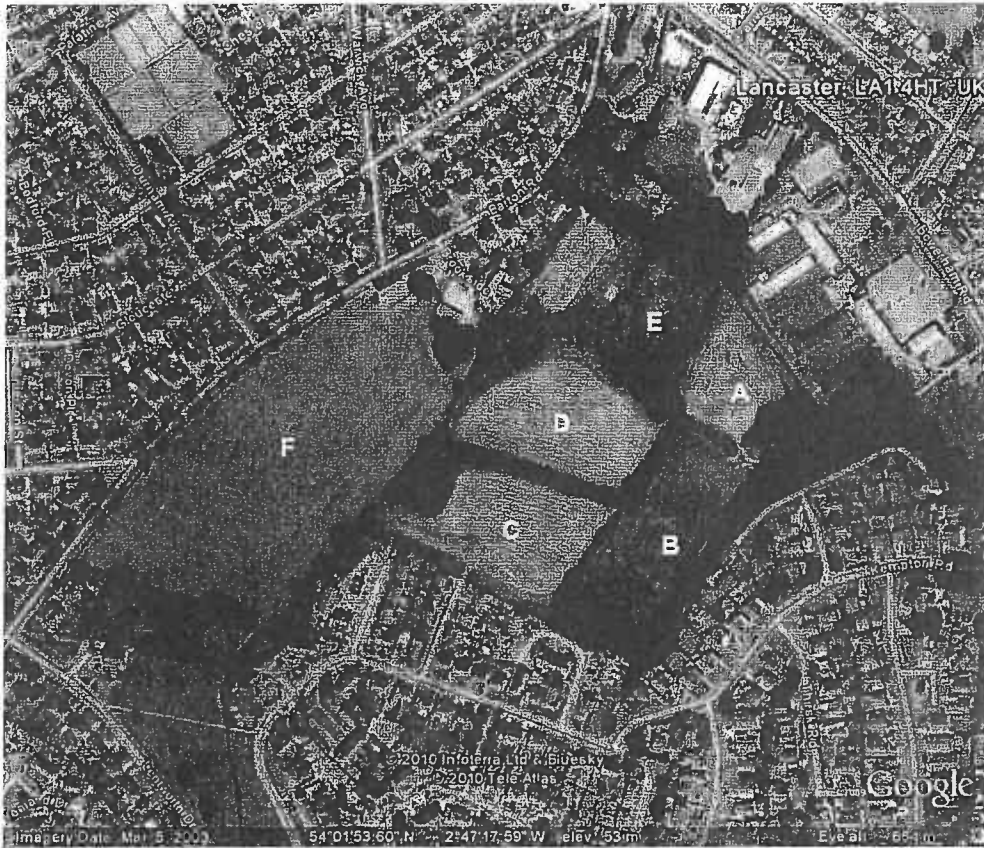
Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments

Name	BRIDGET KINGCOX
Address	72 SCOTFORTH ROAD LANCASTER LA1 4SF

Moorside School Fields

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Do you know who owns the land labelled A-E?	Yes / No
How do you know?	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
A	B	C	D	E	

Have you attended school events on any parts of the land?	Yes / No
Which parts (if any) (please circle)	A B C D E

Please list the events you have attended and the approximate dates	
Event	Date
SPORTS DAYS	JULY 2009
LANCASTER GIANTS FOOTBALL	AUTUMN TERM 2009.

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / No
---	----------

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments MORE THAN GENEROUS OFFER. AS PART OF MAKE MOORSIDE BEAUTIFUL, A RSPB WORKER CAME + LOOKED AROUND THE MEADOW + WE DISCUSSED WAYS OF ENCOURAGING MORE WILDLIFE.

Name	AMANDA CHAPMAN
Address	12 YEALAND DRIVE, LANCASTER, LA1 4BW.

Moorside School Fields

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Do you know who owns the land labelled A-E?	☒ Yes / ☐ No
How do you know? I LIVE LOCALLY. IT IS COUNCIL OWNED LAND AND MOORSIDE SCHOOL LAND. I VISITED THE SCHOOL IN THE AUTUMN OF 2007 AS MY DAUGHTER WAS STARTING SCHOOL. I MET WITH THE HEADMASTER (MR. GUEST) WHO MADE ME AWARE OF THE EXTENT OF LAND BELONGING TO THE SCHOOL.	
Which parts, if any, do you think belong to Moorside School? (Please circle)	
A B C D E	

Have you attended school events on any parts of the land?	☒ Yes / ☐ No
Which parts (if any) (please circle)	A B C D E

Please list the events you have attended and the approximate dates	
Event	Date
SCHOOL SUMMER FAIR	SUMMER 2009

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments THE COMPROMISE OFFER OF A RIGHT OF WAY AT THE BACK OF THE LAND MARKED 'B' IS A FAIR, PRACTICAL AND COMMON SENSE APPROACH. A PUBLIC RIGHT OF WAY ACROSS SCHOOL SPORTS FIELDS IS RIDICULOUS. IT RISKS THE HEALTH (DOG MUCK) AND SAFETY OF SCHOOL CHILDREN, AS WELL AS HINDERING THEIR OPPORTUNITIES FOR SPORT AND OUTDOOR EDUCATION.
--

Name MR. TOBY MUMFORD
Address 20 SOMERSET AVENUE LANCASTER LA1 4BW

Moorside School Fields

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Do you know who owns the land labelled A-E?	<u>Yes</u> / No
How do you know? <i>General knowledge, and also school owned land was pointed out to us by the Headmaster when we looked around the school in 2007.</i>	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
<u>A</u>	<u>B</u>	C	D	<u>E</u>	

Have you attended school events on any parts of the land?	<u>Yes</u> / No
Which parts (if any) (please circle)	<u>A</u> B C D E

Please list the events you have attended and the approximate dates	
Event	Date
Summer fayre	Summer 2009

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments I believe the compromise offer to be very fair. To have a right of way straight through the school playing field is absurd.
--

Name	A MUMFORD
Address	20 SOMERSET AVE, BOWLEHAM

Moorside School Fields

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Do you know who owns the land labelled A-E?	Yes / No
How do you know? <i>A + B + E Through historic use for school events over the past six years with my children and for longer through relatives children.</i>	
Which parts, if any, do you think belong to Moorside School? (Please circle)	
(A) (B) C D (E)	
Have you attended school events on any parts of the land?	Yes / No
Which parts (if any) (please circle)	(A) (B) C D E

Please list the events you have attended and the approximate dates

Event	Date
Summer fair, school sports days (weather permitting)	Summer 2004
	2005
	2006
	2007
	2008
	2009

Have you ever asked permission to use the fields?

~~Yes~~ / No

If so, who did you ask?

And did they give you permission?

Yes / No

Have you ever observed others abusing the fields?

~~Yes~~ / No

Have you ever been asked to leave the fields?

~~Yes~~ / No

If so, who asked you to leave?

Are you aware of the compromise offer to the community?

Yes / ~~No~~

Do you consider this an acceptable compromise which meets your needs and the needs of the school?

Yes / No

Please give any additional comments

Frankly I do not believe you should have to offer compromise where the safety of our children is involved. Safety not just from 'strangers' but from the danger of toxoplasmosis: this condition (caught from dog poo) is a grave danger to pregnant women and to anyone with a compromised immune system. Lets have a fence and a dog grid, dog bins and a bit of common sense on the issue!

Name

Karen A Cloney (with apologies for the handwriting) I usually type

Address

3 Cottage Farm
Aldcliffe
Lancaster LA1 5AR

8 letters sent to various MPs & Councillors

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	Yes / No
How do you know? Informed by Headmaster at first child's induction in 2004	
Which parts, if any, do you think belong to Moorside School? (Please circle)	
(A) (B) C D (E)	

Have you attended school events on any parts of the land?	Yes / No
Which parts (if any) (please circle)	(A) (B) C D E

Please list the events you have attended and the approximate dates

Event	Date
PFA family sports event	2004
football tournament	2009
Moorside Summer fair	2008 + 2007
Lancaster City Youth v Lancaster Giants	2010 + 2009
Football practice after school	2008 + 2010

Have you ever asked permission to use the fields?	Yes / No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	Yes / No
---	---------------------

Have you ever been asked to leave the fields?	Yes / No
If so, who asked you to leave?	Moorside staff

Are you aware of the compromise offer to the community?	Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	Yes / No

Please give any additional comments

At most events attended dog dirt has been a problem, affecting children playing safely.

Name	Helen Fogg
Address	1 Rydal Road Lancaster LA1 3PT

Moorside School Fields

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Do you know who owns the land labelled A-E?	Yes / No
How do you know? INFORMED BY HEAD MASTER AT FIRST CHILD'S INDUCTION IN 2004.	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
A	B	C	D	E	

Have you attended school events on any parts of the land?	Yes / No
Which parts (if any) (please circle)	A B C D E

Please list the events you have attended and the approximate dates

Event	Date
PTA FAMILY SPORTS EVENT	2009
FOOTBALL TOURNAMENT	2009
SUMMER FAIR	2008 & 2007
LANCASTER CITY YOUTH V	2008 2010 & 2009
LANCASTER GIANTS	2008-2010
FOOTBALL PRACTICE	

Have you ever asked permission to use the fields?

Yes ~~NO~~

If so, who did you ask? MOORSIDE SCHOOL

And did they give you permission?

Yes ~~NO~~

Have you ever observed others abusing the fields?

Yes ~~NO~~

Have you ever been asked to leave the fields?

Yes ~~NO~~

If so, who asked you to leave?

MOORSIDE STAFF ~~NO~~

Are you aware of the compromise offer to the community?

Yes ~~NO~~

Do you consider this an acceptable compromise which meets your needs and the needs of the school?

Yes ~~NO~~

Please give any additional comments

AT MOST OF EVENTS ATTENDED,
DOG FARMED WAS A PROBLEM.

Name MATTHEW FERGUSON

Address 1 LINDA ROAD
LANCASTER
LA1 3PT

Moorside School Fields

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Do you know who owns the land labelled A-E?	☒ Yes / No
How do you know? I used to be a pupil at Moorside	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
☒ A	☒ B	☒ C	☒ D	☒ E	

Have you attended school events on any parts of the land?	☒ Yes / No
Which parts (if any) (please circle)	☒ A ☒ B C D E

Please list the events you have attended and the approximate dates	
Event	Date
PE lessons	1994 - 2000
sports day	" - "
PTA family events.	" - "

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / ☒ No

Have you ever observed others abusing the fields?	Yes / ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments I believe that the compromise is acceptable and that the safety of the school's pupils should have priority of dog walking. There is a perfectly acceptable, larger field off Barton road which they could use; so I see no need for them to continue with this protest.

Name	Colin Whiteway
Address	13 Windsor Avenue

Moorside School Fields

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Do you know who owns the land labelled A-E?	☒ Yes ☐ No
How do you know? I went to and have worked at Moorside Primary School.	

Which parts, if any, do you think belong to Moorside School? (Please circle)
☒ A ☒ B ☒ C ☒ D ☒ E

Have you attended school events on any parts of the land?	☒ Yes ☐ No
Which parts (if any) (please circle)	☒ A ☒ B ☒ C ☒ D ☒ E

Please list the events you have attended and the approximate dates	
Event	Date
Sports Days	1991 - present
Summer Fairs	"
PE, Science lessons	1993 - 1997
Sponsored Walks	1991 - 1997

Have you ever asked permission to use the fields?	☒ Yes / No
If so, who did you ask?	Mr Guest
And did they give you permission?	☒ Yes / No

Have you ever observed others abusing the fields?	Yes ☒ No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments
I believe the safety of the children are paramount and should be the central consideration. The fields offer great educational opportunities and this is surely the best use of them.

Name	Marianne Whiteway
Address	10 Fern Bank, Scotforth, Lancaster, LA1 4HT.

Moorside School Fields

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Do you know who owns the land labelled A-E?	☒ Yes / ☐ No
How do you know? Lancashire County Council owns the lot - there is clear signage on the main entry-ways. Moorside School has the management of "A", "B" and "E" - I know that because I have been told by the staff at the school, who are rightly proud of this potentially excellent facility. It is owned by the County Council but has been given over to the School for their use and management.	
Which parts, if any, do you think belong to Moorside School? (Please circle)	
☒ A ☒ B C D ☒ E	

Have you attended school events on any parts of the land?	☒ Yes / ☐ No
Which parts (if any) (please circle)	☒ A ☒ B C D ☒ E

Please list the events you have attended and the approximate dates	
Event	Date
Moorside School Summer Fayre	3 July 2009
Moorside PTA Sports Evening	11 th June 2009

Have you ever asked permission to use the fields?	☒ Yes / No
If so, who did you ask?	Mr Guest
And did they give you permission?	☒ Yes / No
we were discussing a sports evening for families and staff run by the PTA and Mr Guest said we may use the playing fields for the purpose.	
Have you ever observed others abusing the fields?	☒ Yes / No
I have been surprised to see dogs running freely whilst ^{school} children were engaged in an organised activity.	
Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	(on the playing fields marked "B")

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments I would welcome a compromise which would keep everybody happy BUT the area to be fenced off is recognised by the County Council as land to be used/managed by the school. If a workable 'footpath' compromise can be reached and maintained, I am happy. However it seems to be the school is doing all the compromising. I would be deeply saddened if the children at the school lost the use of the fields (the playing fields and "Dingly Dell" in particular). as a result of a successful Town Green Application by the Community Association. The land offers vital sporting and educational opportunities for our future generations.

Name	Penny Hayashi
Address	Creaver Cottage 10A Creaver Drive Lancaster LA1 4UD

Moorside School Fields

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Do you know who owns the land labelled A-E?	☒ Yes ☐ No
How do you know? <i>Local knowledge dating back over 40 years. There are signs around the perimeter of the council's land, and have been at various locations since my childhood.</i>	

Which parts, if any, do you think belong to Moorside School? (Please circle)	<i>Assigned rather than owned.</i>
☒ A ☒ B ☐ C ☐ D ☐ E	

Have you attended school events on any parts of the land?	☒ Yes ☐ No
Which parts (if any) (please circle)	☒ A ☒ B ☐ C ☐ D ☐ E

Please list the events you have attended and the approximate dates	
Event	Date
On (A) nature studies were conducted when I was a pupil.	1968 - 1972.
On (B) team games were played when I was a pupil.	1968 - 1972.
On (C) I have attended Sports Days since my son joined the school	2004 - present.

Have you ever asked permission to use the fields?	Yes / <u>No</u>
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	<u>Yes</u> / No
---	----------------------------

Have you ever been asked to leave the fields?	Yes / <u>No</u>
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	<u>Yes</u> / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	<u>Yes</u> / No

Please give any additional comments I have lived in south Lancaster (Hala Carr and Bowerham) since 1968. In my experience locals have always referred to (B) as Moorside School's playing field, and to (A) as the school's meadow. As a child I occasionally played on (C) and (D) outside school hours. If we took our dog on to (C) and (D) we went via Gressingham Drive, not across (A) and (B), because we had been taught to keep our dog off the school's playing field.
--

Name	JOHN GEDGE
Address	41 WORCESTER AVENUE LANCASTER LA1 4AZ

Moorside School Fields

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Do you know who owns the land labelled A-E?	☒ Yes ☐ No
How do you know? <i>I live in the area and assumed the school owned the land - confirmed by recent information.</i>	

Which parts, if any, do you think belong to Moorside School? (Please circle)
☒ A ☒ B ☒ C ☒ D ☒ E

Have you attended school events on any parts of the land?	☒ Yes ☐ No
Which parts (if any) (please circle)	☒ A ☒ B C D ☒ E

Please list the events you have attended and the approximate dates	
Event	Date
Sports Day	2009
School Fete	2008
School Fete	2009

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	☒ Yes / No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments

As a member of the community as well as a parent I believe that the schools use of the fields are essential in the development of its pupils. I feel that the fields do need protecting as no child should be subject to having to avoid the dog mess left by inconsiderate owners.

Name	Paul McGrath
Address	149 Bowerham Rd Lancaster LA1 4HN

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	☒ Yes / ☐ No
How do you know? I HAVE BEEN RESIDENT IN THE AREA SINCE 1997	

Which parts, if any, do you think belong to Moorside School? (Please circle)	
☒ A ☒ B C D ☒ E	

Have you attended school events on any parts of the land?	☒ Yes / ☐ No
Which parts (if any) (please circle)	☒ A ☒ B C D E

Please list the events you have attended and the approximate dates	
Event	Date
SUMMER FAIRE	JULY 2005
SPORTS DAY	JULY 2008
"	JULY 2009
FOOTBALL TOURNAMENTS	2008

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	☒ Yes / No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments Moorside School need to offer the pupils a large outdoor facility which allows the children to play and explore in safety. At present the children are exposed to the general public, dogs both on & off leads, and also the 'mess' which ^{can be} left behind. This includes general litter, broken glass, used needles & dog faeces. Fencing the area off will allow Moorside to use the area to it's full potential and schedule events without worrying about trespassers.
--

Name	DIANE McGRATH
Address	149 BOWERHAM RD LANCASTER LA1 4HN

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	Yes / No
How do you know? <i>td by Headteacher on 1st visit to school when deciding on where to send son,</i>	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
A	B	C	D	E	

Have you attended school events on any parts of the land?	Yes / No
Which parts (if any) (please circle)	A B C D E <i>Not yet.</i>

Please list the events you have attended and the approximate dates

Event	Date
Sat in reception so not attended any events behind school yet.	

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	☒ Yes / No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments

I FULLY SUPPORT THE SCHOOL IN FENCING OFF THE LAND A+B TO ENSURE A SAFE ENVIRONMENT FOR PUPILS WHERE THEY CAN USE THE AREA FULLY WITH FREEDOM.

Name	CHARUL HUTTON
Address	41 COLCHESTER AVE LANCASTER LA1 4AX

Jane

Moorside School Fields

In order to establish what the community's understanding of the school's fields is, and to gather evidence to protect the fields for the school, please complete this form and return to Mrs Jane Mason, School Business Manager.



Do you know who owns the land labelled A-E?	<u>Yes</u> / No
How do you know? SCHOOL VISIT PRIOR TO OLDER CHILD STARTING AT MOORSIDE ca 2001	

Which parts, if any, do you think belong to Moorside School? (Please circle)	
<u>(A)</u>	<u>(B)</u> C D <u>(E)</u>

Have you attended school events on any parts of the land?	<u>Yes</u> / No
Which parts (if any) (please circle)	<u>(A)</u> <u>(B)</u> C D E

Please list the events you have attended and the approximate dates	
Event	Date
Sports Day	2001 - present day
School Summer Fair (annually)	2001 - present day
Football After-School Club	2007 - 2009
Lancaster Giants Football training 9 matches	2009
PTA Sports Evenings	2001 - present day

Have you ever asked permission to use the fields?	Yes ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	☒ Yes / No
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Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

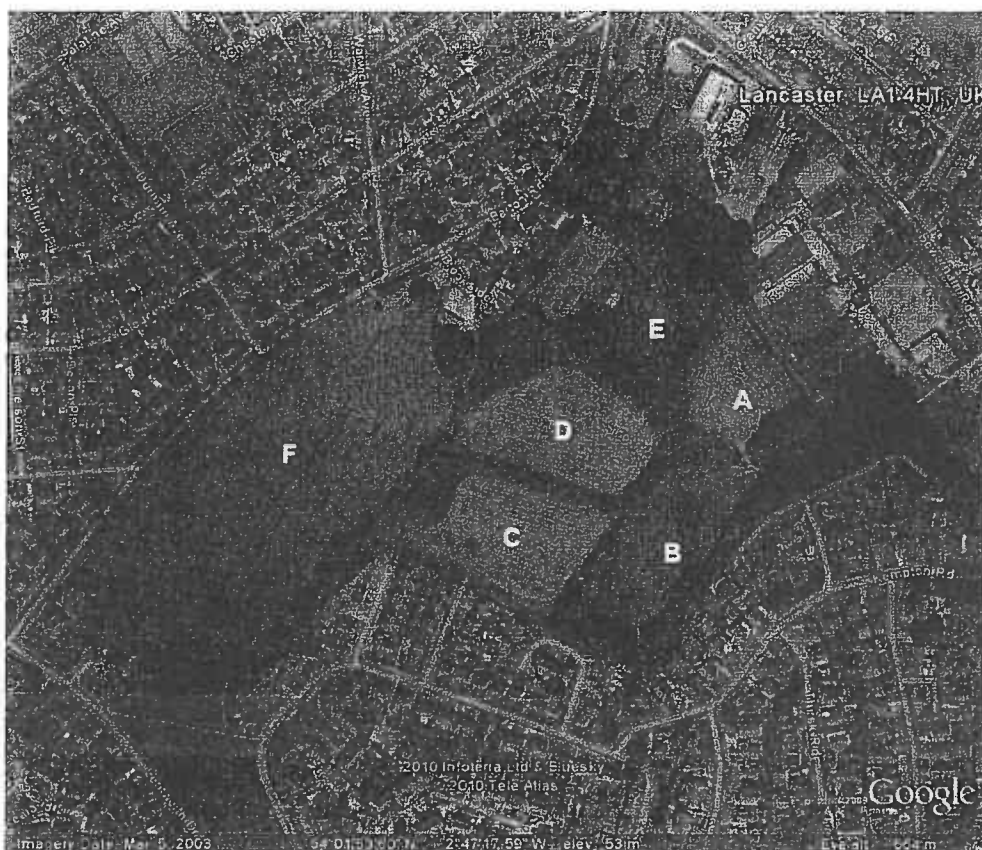
Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments I favour the idea of a sports facility free of dog excrement for the use of the school & community. I believe the school's compromise allows sufficient dog-walking space

Name	JOHN MORPHET
Address	100, COULSTON ROAD LANCASTER LA1 3AB

Moorside School Fields

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Do you know who owns the land labelled A-E?	☒ Yes / ☐ No
How do you know? We were informed about the school grounds when we were shown around when choosing a school for our eldest child in 2000. Newsletters from school have regularly told us about the children's usage of the land.	
Which parts, if any, do you think belong to Moorside School? (Please circle)	
☒ A ☒ B ☐ C ☐ D ☒ E	

Have you attended school events on any parts of the land?	☒ Yes / ☐ No
Which parts (if any) (please circle)	☒ A ☒ B ☐ C ☐ D ☐ E

Please list the events you have attended and the approximate dates	
Event	Date
Sports Days	June 2003 onwards
After school football club	Sept 2006 "
After school rounders club	
School Summer Fairs	Summer 2009 "
Lancaster Giants football matches on Sundays. (On every occasion we have seen dogs mess on the school field!)	Autumn 2009 onwards

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	☒ Yes / No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments One of the main reasons we chose Moorside for our 3 children was because of its school owned playing fields within the school grounds. (We decided against Scarforth school which we live opposite because of its lack of playing fields). At the moment I don't feel my children are completely safe because of strangers accessing the area and also the threat from dogs off

*the lead, despite the teacher's best efforts.

Name	DEBORAH PADFIELD
Address	7 BEDFORD PLACE LANCASTER LA1 4EB

* If the town green status is granted, these fears about strangers and dogs will always be there and I will never be sure that my children are safe. Who will be responsible if a child is bitten by a dog - heaven forbid - a child is abducted?

Moorside School Fields

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Do you know who owns the land labelled A-E?	☒ Yes No
How do you know? Information from the school when our children started there - our eldest started at Moorside in 2000	

Which parts, if any, do you think belong to Moorside School? (Please circle)	
☒ A	☒ B C D ☒ E

Have you attended school events on any parts of the land?	☒ Yes No
Which parts (if any) (please circle)	☒ A ☒ B C D E

Please list the events you have attended and the approximate dates	
Event	Date
① SPORTS DAYS - 2002-2003 (ON AT LEAST ONE SPORTS DAY I'VE SEEN DOG WALKERS BEING ASKED NOT TO ENTER THE FIELDS)	JUNE 2003 ONWARDS
② AFTER-SCHOOL FOOTBALL CLUB	SEPTEMBER 2006 ONWARDS
③ AFTER-SCHOOL ROUNDEERS CLUB	SUMMER 2009 ONWARDS
④ SCHOOL SUMMER FAIR	APPROX SUMMER 2006
⑤ LANCASTER GIANTS FOOTBALL MATCHES ON SUNDAYS	AUTUMN 2009 onwards

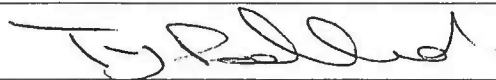
Have you ever asked permission to use the fields?	Yes / (No)
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	(Yes) / No
---	-----------------------

Have you ever been asked to leave the fields?	Yes / (No)
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	(Yes) / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	(Yes) / No

Please give any additional comments It has been clear to me since 2000 that this land is owned by the school. If this land is declared a "town green" then I will not be able to feel that my children are safe to use it - as anyone will be able to go there at any time with whatever motive
--

Name	 - TIM PARFIEN
Address	7 BEDFORD PLACE, LANCASTER, LA 1 4EB

Moorside School Fields

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Do you know who owns the land labelled A-E?	☒ Yes / ☐ No
How do you know? my older children which attended moorside have had sportsdays + fixtures on the sports fields. - combination of club + council (council school).	
Which parts, if any, do you think belong to Moorside School? (Please circle)	
☒ A ☒ B C D E	

Have you attended school events on any parts of the land?	☒ Yes / ☐ No
Which parts (if any) (please circle)	A ☒ B C D E

Please list the events you have attended and the approximate dates

Event	Date
sports days	2006, 2007
Rugby matches + training	2005 - Every 3 weeks - Sept - Dec 2006 07.

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	☒ Yes / No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	Yes / ☒ No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments

I own two dogs and walk them on Barton Road playing fields. I believe the school should fence off the land to protect the pupils from rubbish / dog mess / people - Anyone who

Name	A. Ashton
Address	91 BARTON ROAD, LANCASTER LA1 4EL.

(looks at the playing

fields) I can see no children playing on them due to the dog mess + litter.

Moorside School Fields

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Do you know who owns the land labelled A-E?	Yes / No
How do you know? My daughter started going to Moorside. Previously I assumed belonged to the 3 schools.	

Which parts, if any, do you think belong to Moorside School? (Please circle)	
☒ A	☒ B C D E

Have you attended school events on any parts of the land?	Yes / ☒ No
Which parts (if any) (please circle)	A B C D E

Please list the events you have attended and the approximate dates	
Event	Date

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	☒ Yes / No
---	---

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments

We have recently started at Moorside. On January 15th 2010 The headteacher showed us round the school. My partner and I were both surprised and commented on the fact that a man was exercising his 'staffy' type dog on what we assumed to be the football pitch only away from the building. This was mid afternoon. I was a little concerned that 'strangers' could get so

Name	J. L. Walton Parent
Address	15 Derwent Rd Lancaster LA1 3ES

close to the school. Also the possibility of Dog faeces and it's related health issues. The head was very diplomatic telling us candidly about the proposed fence and the compromises offered.

Moorside School Fields

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Do you know who owns the land labelled A-E?	Yes / <u>No</u> <i>not really</i>
---	-----------------------------------

How do you know?	
<i>i would say A belonged to moorside and E belonged to st. Benedict's.</i>	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
<u>A</u>	<u>B</u>	C	D	E	

Have you attended school events on any parts of the land?	Yes / <u>No</u>
Which parts (if any) (please circle)	A <u>B</u> C D E

Please list the events you have attended and the approximate dates

Event	Date
School Sports Day	<u>School time</u>

Have you ever asked permission to use the fields?	Yes / <u>No</u>
If so, who did you ask?	
And did they give you permission?	Yes / No <u> </u>

Have you ever observed others abusing the fields?	<u>Yes</u> / No
---	-----------------

Have you ever been asked to leave the fields?	Yes / <u>No</u>
If so, who asked you to leave?	<u> </u>

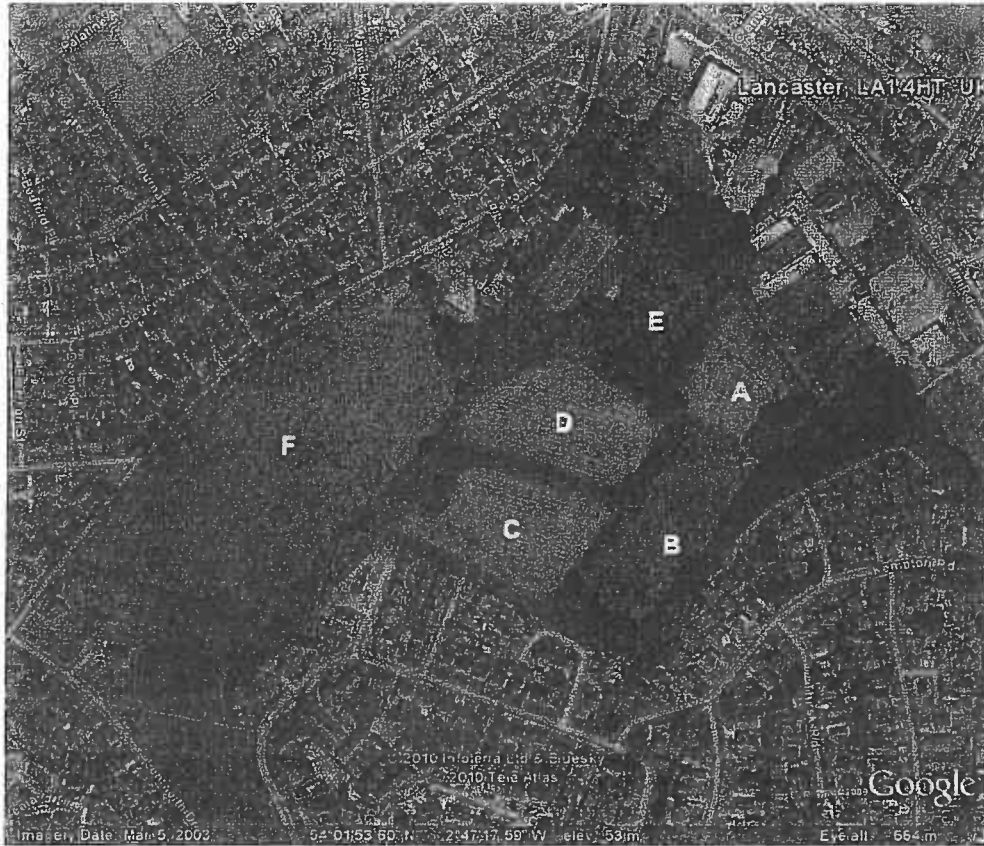
Are you aware of the compromise offer to the community?	<u>Yes</u> / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	<u>Yes</u> / No

Please give any additional comments
I think the school should fence off the 8 fields that belong to moorside, so that dog walkers cannot have access to them.

Name	Louise Pullen
Address	11. gregorys court halia Lancaster,

Moorside School Fields

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Do you know who owns the land labelled A-E?	Yes / No
How do you know? <i>Because I have lived in this community for 48 years. I went to Moorside School and Greaves School when it used Barton Road as its playing fields</i>	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
A	B	C	D	E	

Have you attended school events on any parts of the land?	Yes / No
Which parts (if any) (please circle)	A B C D E

Please list the events you have attended and the approximate dates	
Event	Date
Sports days	From 1965 to Present
Family games evenings	1999 to Present
Summer fairs	1999 to Present
PTA Events	1999 to Present.

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	☒ Yes / No
---	---

Have you ever been asked to leave the fields?	☒ Yes / No (my son + friends were)
If so, who asked you to leave?	The deputy headmaster

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments I have always been aware that this land belonged to Moorside School and they have cared for and looked after this land for many years. I feel that to take away the children's playing fields would be a tragedy but to fence it in would ensure the cleanliness and safety of my children.
--

Name	JACQUE JARRARD
Address	16 NEWLANDS AVE LANCASTER LA1 4HU

Moorside School Fields

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Do you know who owns the land labelled A-E?	Yes / No
How do you know? <i>As a parent of children who have attended / are attending Moorside school I knew that land A, B & E belongs to the school as I have attended PTA events, sports days etc during the period since my first child started at Moorside</i>	
Which parts, if any, do you think belong to Moorside School? (Please circle)	
(A) (B) C D (E)	

Have you attended school events on any parts of the land?	(Yes) / No
Which parts (if any) (please circle)	(A) (B) C D (E)

Please list the events you have attended and the approximate dates	
Event	Date
PTA Summer Fairs / Games Evenings Sports Days etc	2001 / since 2002 onwards when my son started at Moorside

Have you ever asked permission to use the fields?	No but a football team which	Yes / No
If so, who did you ask?	my son used to attend did seek permission from the school.	
And did they give you permission?		Yes / No

Have you ever observed others abusing the fields?	Yes / No	stray dogs dog dirt etc
---	----------	-------------------------

Have you ever been asked to leave the fields?	Yes / No	- I have only attended school events so this has not arisen
If so, who asked you to leave?		

Are you aware of the compromise offer to the community?	Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	Yes / No

Please give any additional comments I think it is vitally important that the school retains the land it currently has management of because (1) The curriculum should provide children with lots of opportunities to learn in the outdoor environment whether this be playing football or exploring woodland. They should be able to do this safely without staff or pupils worrying about dog dirt, people disrupting sports events etc. (both of which I have witnessed first hand)

Name	Elaine Morphet
Address	100 Coulston Rd Lancaster LA1 3AB

(2) The school wishes to improve the playing fields & open it up for community groups to use. (A local girls & boys football club already uses it) If this facility is to be properly managed it needs to be forced off to prevent irresponsible dog owners allowing their dogs to foul.

Moorside School Fields

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Do you know who owns the land labelled A-E?	☒ Yes / ☐ No
How do you know? <i>Signage. Advised when looked around the school the land belonging to the school.</i>	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
☒ A	☒ B	☐ C	☐ D	☒ E	

Have you attended school events on any parts of the land?	☒ Yes / ☐ No
Which parts (if any) (please circle)	A ☒ B ☐ C ☐ D ☐ E

Please list the events you have attended and the approximate dates

Event	Date
Sports Days	July 09 / July 08 / July 07
School Fair	
Family Games evening	June 2009
Rugby match	June 2008

Have you ever asked permission to use the fields?

Yes / ☒ No

If so, who did you ask?

And did they give you permission?

Yes / No

Have you ever observed others abusing the fields?

☒ Yes / No

Have you ever been asked to leave the fields?

Yes / No

If so, who asked you to leave?

Are you aware of the compromise offer to the community?

☒ Yes / No

Do you consider this an acceptable compromise which meets your needs and the needs of the school?

☒ Yes / No

Please give any additional comments

The fields should be secure for all the children to be able to run freely without concern of dog mess, strangers or uninvited people interrupting lessons. A compromise has been provided to the Association to allow a right of way around the field. In my view a good compromise that would suit the Association and the school.

Name

Andrew Duff

Address

BARKHILL LANE
LANCASTER
LA1 4XP

To have the field would be devastating and prevent the school from using a fantastic resource to extend

activities / comic outdoors. Lancaster is fortunate to have lots of open space: cricket / football that are better suited to the school than available fields.

Moorside School Fields

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Do you know who owns the land labelled A-E?	Yes / ☒ No
How do you know? Always thought that they belonged to Moorside.	

Which parts, if any, do you think belong to Moorside School? (Please circle)	
☒ A	☒ B C D ☒ E

Have you attended school events on any parts of the land?	☒ Yes / No
Which parts (if any) (please circle)	☒ A ☒ B C D E

Please list the events you have attended and the approximate dates	
Event	Date
Summers Fayes 08/09 - Horse riding.	July 08/09. (A)
Lancaster Giants home ground for Football	Various (B)
Sports days.	(B)
Thought E was used for childrens education.	

Have you ever asked permission to use the fields?	Yes / (No)
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	(Yes) / No Dog walkers/youths.
---	--------------------------------

Have you ever been asked to leave the fields?	Yes / (No)
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	(Yes) / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	Yes / No

Please give any additional comments
I have lived on Haba near the cycle path for 33 years and I have always believed that A, B + E belonged to Mossdale Primary. I believe the schools offer of a compromise is more than fair and they are doing there utmost to protect our children.

Name	R. Mitchell.
Address	16, Cockerson Drive, Lancaster. Lancs, LA1 4QL.

Moorside School Fields

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Do you know who owns the land labelled A-E?	☒ Yes / ☐ No
How do you know? LOCAL KNOWLEDGE BOLSTERED BY INFORMATION PROVIDED WHEN MY CHILD FIRST CAME TO MOORSIDE SCHOOL.	

Which parts, if any, do you think belong to Moorside School? (Please circle)	
☒ A	☒ B C D ☒ E

Have you attended school events on any parts of the land?	Yes / ☒ No
Which parts (if any) (please circle)	A B C D E

Please list the events you have attended and the approximate dates

Event	Date
CHILD IS IN RECEPTION YEAR. NO EVENTS ATTENDED AS YET. AM AWARE THAT SOME EVENTS ARE PLANNED IN THE COMING SCHOOL YEAR.	

Have you ever asked permission to use the fields?

Yes / ☒ No

If so, who did you ask?

NOT ASKED, BECAUSE NOT USED.

And did they give you permission?

Yes / No

Have you ever observed others abusing the fields?

☒ Yes / No

Have you ever been asked to leave the fields?

Yes / No

If so, who asked you to leave?

NOT USED.

Are you aware of the compromise offer to the community?

☒ Yes / No

Do you consider this an acceptable compromise which meets your needs and the needs of the school?

☒ Yes / No

Please give any additional comments

THE HEALTH, SAFETY & WELFARE OF CHILDREN AND STAFF
MUST TAKE PRIMALY PARTICULARLY WHEN, THROUGH COMPROMISE,
IT WOULD ADDRESS THE NEEDS OF ALL INTEREST GROUPS COULD
BE MET TO A LARGE DEGREE.

Name

MR. MARK HUTTON

Address

41 COLCHESTER AVE
BOWERHAM
LAMANTER. LA1 4AX

Moorside School Fields

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Do you know who owns the land labelled A-E?	Yes / No
How do you know? LOCAL KNOWLEDGE	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
A	B	C	D	E	

Have you attended school events on any parts of the land?	Yes / No
Which parts (if any) (please circle)	A B C D E

Please list the events you have attended and the approximate dates

Event	Date
School Fete.	Over last 3yrs.

Have you ever asked permission to use the fields?	Yes / ☒ No
If so, who did you ask?	
And did they give you permission?	Yes / No N/A.

Have you ever observed others abusing the fields?	☒ Yes / No
---	---

DOG FOULING.

Have you ever been asked to leave the fields?	Yes / ☒ No
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	☒ Yes / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	☒ Yes / No

Please give any additional comments

Name	JULIE SHAW
Address	CHERRY TREES, BAILLIGG LANG, LANCASTER, LANCASHIRE LA1 4XP.

Moorside School Fields

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Do you know who owns the land labelled A-E?	☒ Yes / No
How do you know? LOCAL KNOWLEDGE	

Which parts, if any, do you think belong to Moorside School? (Please circle)					
☒ A	☒ B	C	D	☒ E	

Have you attended school events on any parts of the land?	☒ Yes / No
Which parts (if any) (please circle)	☒ A ☒ B C D E

Please list the events you have attended and the approximate dates	
Event	Date
Summer fair	June 2009

Have you ever asked permission to use the fields?	Yes / <u>No</u>
If so, who did you ask?	
And did they give you permission?	Yes / No

Have you ever observed others abusing the fields?	<u>Yes</u> / No
---	-----------------

Have you ever been asked to leave the fields?	Yes / <u>No</u>
If so, who asked you to leave?	

Are you aware of the compromise offer to the community?	<u>Yes</u> / No
Do you consider this an acceptable compromise which meets your needs and the needs of the school?	<u>Yes</u> / No Possibly

Please give any additional comments	
School needs to have its field for our children and community already got a lot of green area in / near the same area. School fields should be fenced. Some member of community (children) should be protected from others (dog walkers etc.)	
Name	IRINA TSEPELIN
Address	7 STEWARD AVE LANCASTER LA1 4HP

5. Photographs / Press Cuttings

Includes a picture of a notice put up by the Moorside Fields Community Association which shows that they recognise that dog fouling is a problem

ANN
CARTY
SPORTS
DAY
1962



FOOTBALL

Pitch battle for local schools

Guardian photographer **GARTH HAMER** was at football tournaments at Moorside School and Heysham High School last term. Here are some of his photographs



Moorside Primary School football tournament action between Ridge Primary and St Bernadettes (above) and (right and far right) Moorside take on St Lukes.

Kids cry foul over dog mess

TWO Lancaster schools have joined forces to campaign against dog fouling.

Pupils, parents and staff at Moorside and St Bernadette's schools in Bowerham Road are so fed up of trying to avoid dog mess when they are walking to school or using the playing fields that they have launched a campaign.

Banners have been made and letters sent out to make dog owners aware of the schools' concerns, encouraging them to scoop their dog's poop.

A dog warden from the city council was also invited into school to lend support to the campaign.





6. Staff evidence forms

Staff evidence dating from 1995 to date which indicates use of the field for school activities and events, occasions of abuse of the fields by unauthorised people including dog fouling, dogs off the lead and an occasion of motorcyclists in the grounds.

Staff have also requested people to leave the grounds during school time and have witnessed others leaving when they have arrived.

Staff recall signage to the fields.

Staff state that some people have refused to leave the grounds when requested and some dogs have interfered with activities / punctured footballs / etc.

We will need to know from any staff member (past or present):

Are you aware of any signs that have been put up on the field in the last 20 years or so (you need not be accurate with the date only the place and approx date) ?

Yes - immediately aware of signs when I joined the school in September 2009

Have you ever asked people to remove themselves from the field?

People moved from the field when I take the children out for their weekly PE Lesson outside.

Have you ever told trespassers that this is a school owned field?

No

Have you ever encountered difficulties with those who were asked to leave the field?

No

Have you any photographs of using the school field?

No

We will need to know from any staff member (past or present):

Are you aware of any signs that have been put up on the field in the last 20 years or so (you need not be accurate with the date only the place and approx date) ?

Have you ever asked people to remove themselves from the field?

In Autumn term 2004 both yr 5 classes were on the field - walking all around it - there were 3 people with dogs on the field. All 3 were asked to leave.

Have you ever told trespassers that this is a school owned field?

We did explain that the children were having a Science lesson in the school fields.

Have you ever encountered difficulties with those who were asked to leave the field?

2 of the dog owners left. One, however, was not willing to leave. He did leave, but returned with the dog before the end of the lesson.

Have you any photographs of using the school field?

We will need to know from any staff member (past or present):

Are you aware of any signs that have been put up on the field in the last 20 years or so (you need not be accurate with the date only the place and approx date) ?

Yes, sign on field near dog waste bin - seen several times at ^{interschool} sporting events.

Have you ever asked people to remove themselves from the field?

Yes frequently. Dog off lead on Sportsday ran up the track, people walking through lessons etc. Had to stop a rounders game as dog owner was walking through it.

Have you ever told trespassers that this is a school owned field?

Yes always.

Have you ever encountered difficulties with those who were asked to leave the field?

Yes, I have been ignored; I tend not to confront people ^{again} if they are ignoring me as it is intimidating for me and am always worried about angry/aggressive behaviour in front of children.

Have you any photographs of using the school field?

Michelle Dent
Teacher at Moorside Since April 1995

We will need to know from any staff member (past or present):

Are you aware of any signs that have been put up on the field in the last 20 years or so (you need not be accurate with the date only the place and approx date)?

Yes. Where the dogwaste bin is now, there was a sign stating ownership of the school field. I can't remember it being there after the dogwaste bin was put there only the newer signage.

Have you ever asked people to remove themselves from the field?

Yes. on many occasions. These have been usually dogwalkers but on one occasion two teenage boys on small motorcycles. There have also been walkers taking a shortcut through the school playing field.

Have you ever told trespassers that this is a school owned field?

Yes. The boys on motor cycles were ex-school pupils so knew. Some of the other trespassers just stared ahead not wanting to engage in conversation.

Have you ever encountered difficulties with those who were asked to leave the field?

Yes, one lady dog owner, a few years ago, was told she was on school property. She left the field but then ~~returned~~ returned and walked straight through my class P.E Lesson. I did not confront her as I was alone with my class.

Have you any photographs of using the school field?

Yes - around 2004 / 2005

~~2004 / 2005~~

During the 15 years at Moorside I have used the field for PE lessons, science lessons, art lessons, art/ICT lessons, play sessions.

I have witnessed the field being used for:

- nature walks in woods.
- Sponsored walks / fun runs.
- Games lessons
- Sports Days.
- Sports tournaments
- PTA Games evening and BBQ
- outdoor lessons.
- PTA Sessions

The Summer fair used to be held there until in 2001. Some teenagers caused trouble and damaged stalls.

→ PTO.

In the late '90's, mobile phones were issued to all staff - one reason was so that we could take them down on the field with us for personal safety -

Even now I always have my mobile with me. With my class, I sometimes feel vulnerable as there are no fences fully enclosing the field and the children are exposed to the general public.

on many occasion (even after the dog bin was installed), I have had to clean dog mess from pupils' pumps. I have also had my own child's pumps sent home in a carrier bag after his PE lesson on the field was spoilt by trampling in dog mess.

NOT SURE WHEN.

between 1996 - 2000.

A child sprained their ankle after falling down a hole a dog had made in the field. There is a photo with earth on top of the grass. This is why. Holes were filled in to stop anyone else falling into them.

As a teacher my main concerns are :-

- Health and well being of pupils and staff while down on the field without fencing. (enclosure).
- The field belongs to the school. It has always played an enormous part in the school community.

ramrith001

From: j.mason@moorside-pri.lancs.sch.uk **Sent:** 20/12/2012 10:04:59
To: Amrith, Ravinder
Subject: Moorside fields DMMO
Attachments: Fields Pictures for DMMO.zip,

Ravinder

I have now heard back from Michelle Dent. She is still unwell and away from school, but has sent what I think is good evidence.

Her answers to your questions are below. She has also provided pictures of the school fields in use - some of these from Sports Days in 2005 and 2006 and clearly show the fencing which existed prior to the installation of the new fence, as well as a football goal which blocks the claimed right of way. I have attached these in a zipped folder.

We finish school this afternoon at 2pm, but I will be picking up emails throughout the break. We return to school on 7th January.

Please let me know as soon as possible if there is anything we can add to this evidence.

I hope you have a lovely break.

Jane

Signs – you have made reference to an older sign than the blue signs with white writing currently in place. Do we have any photographs of the older signs? Can you recall a description? Wording? Location of the older signs anywhere else on any of the Land in the location of the claimed footpath?

The sign was on the left as you enter the field near where the dog bin is. The older sign stated it was a school playing field. I remember it was old, there was also an old fashioned bin, metal slats with metal bin inside, old school ones. I have searched for photos but I have none of that end of field.

Dog walkers – can you recall whether or not they were walking the line of the claimed footpath or generally roaming the land exercising their dog(s)?
 Definitely roaming.

What words would you use when asking dog walkers to leave?

"Excuse me, would you mind taking your dog somewhere else, this is a school field and there are children trying to have a PE lesson."

You acknowledge that there has always been walkers taking a shortcut through the school playing field – Was a specific line walked by the walkers?

No specific line, I have seen people walking from different directions, I have not noticed specifically that it is well used in one particular way on and off the field, I would also say that the field is and never was a busy thoroughfare.

If there was a well used route there would have been a worn path in the grass and there never was. See photos.

Difficulties – Do you recognise the lady you are referring to? I didn't know her name

15 years at Moorside – you list several activities, can you provide more detail? Dates, location and any photographs please. See disk, these are from my own children's sports' days. On one of Morgan javelin, you can see where soil has patched up a hole.

Mobile phones & dog mess – we are clearly acknowledging the public using the field, but we need to make clear that the public have been using the field in a general fashion as opposed to walking the line of the footpath claimed.

Being local and working at the school, I am not aware that there is a specific Walking line.

Child with sprained ankle – do we know the location of the incident? Does the school hold any record of accidents? As far as I can remember it was in the near right hand corner area as you look at field with back to school. Don't know about accident report.

Jane MASON

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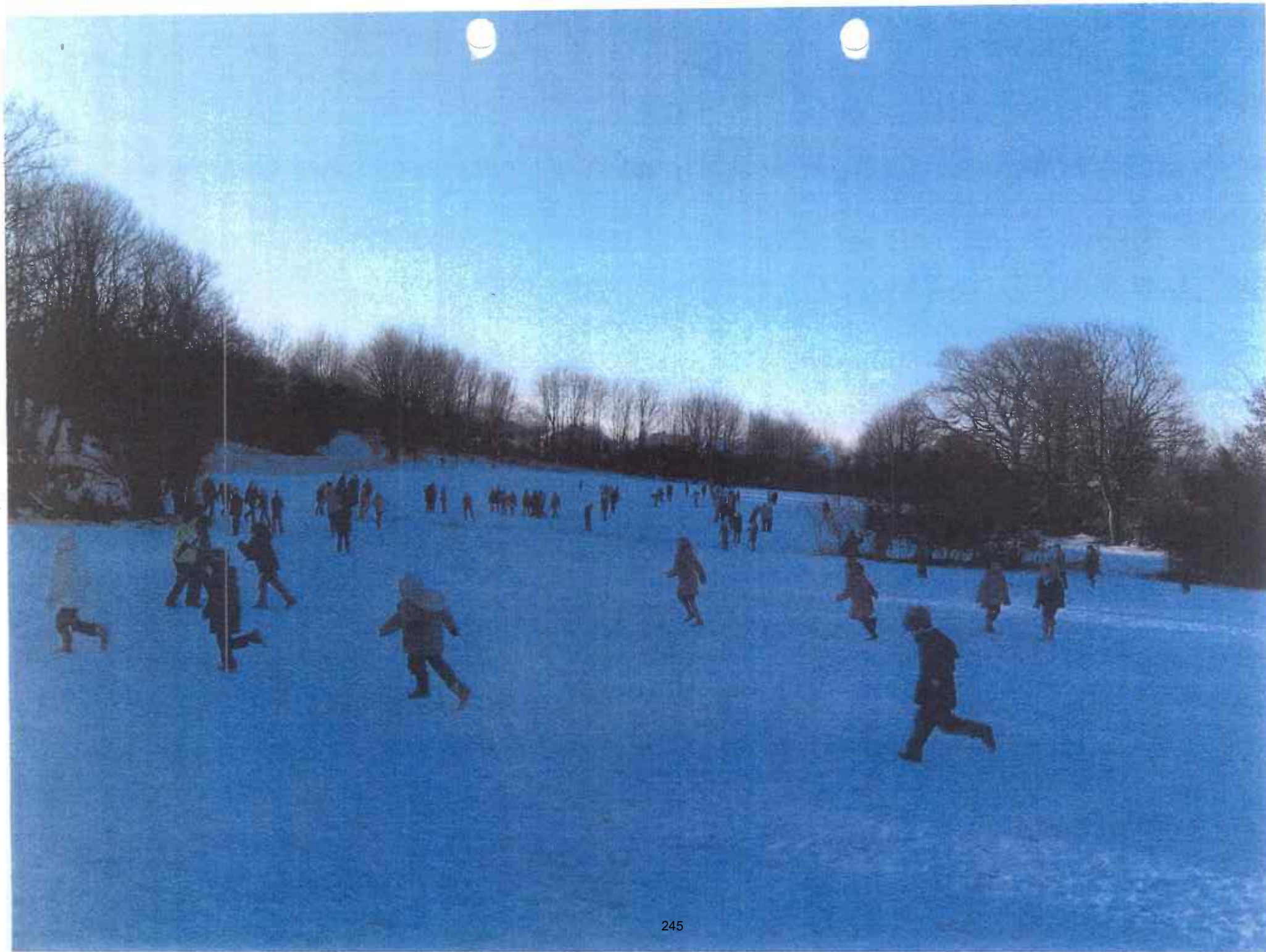
This email has been checked for known viruses.



SPORTS DAY 15 JULY 2006
ORIGINAL FENCE IN THE BACKGROUND.

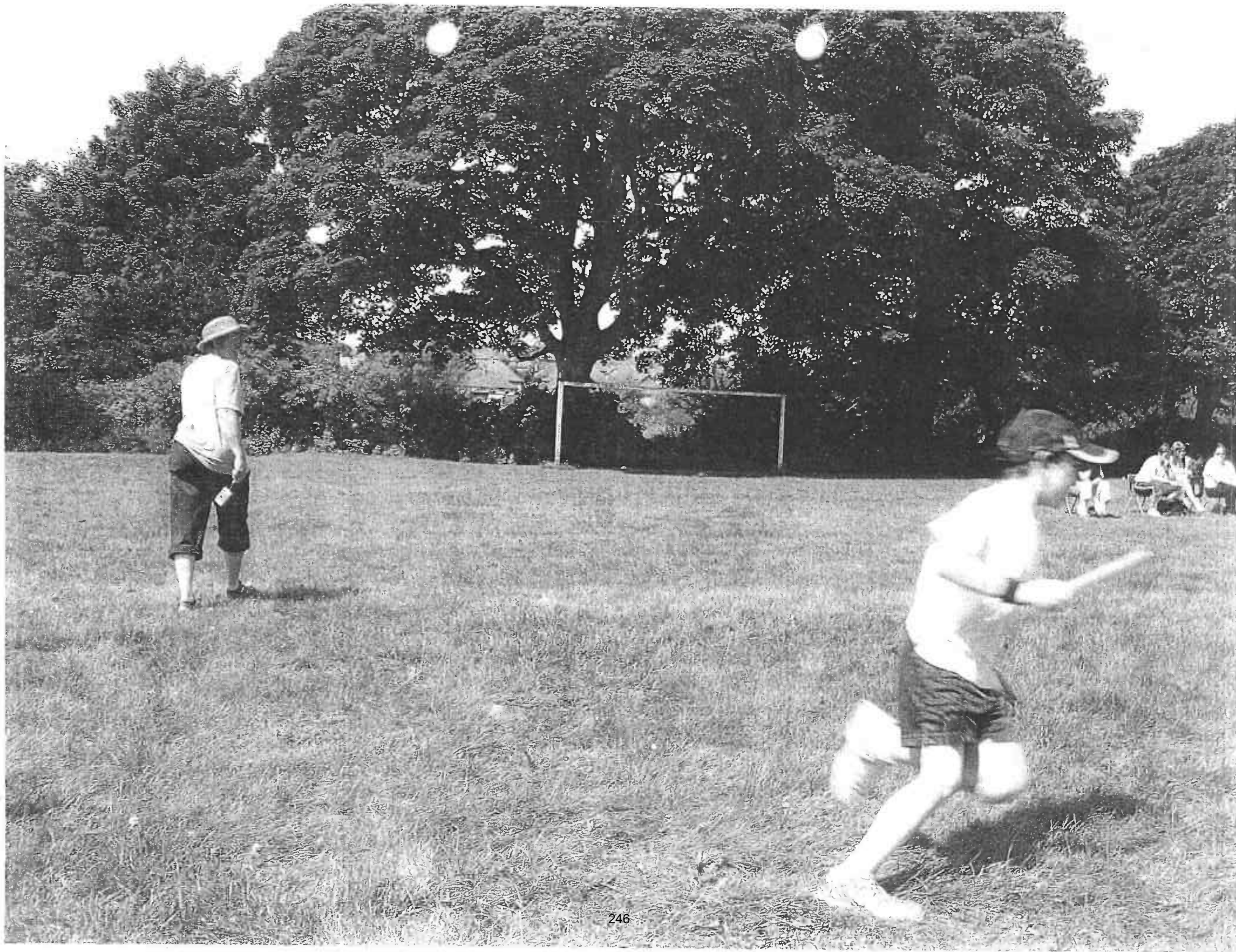


SPORTS DAY 15 JULY 2006
LAIMED ROUTE BLOCKED BY SCHOOL EVENT



(52) 15W

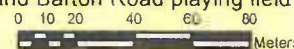
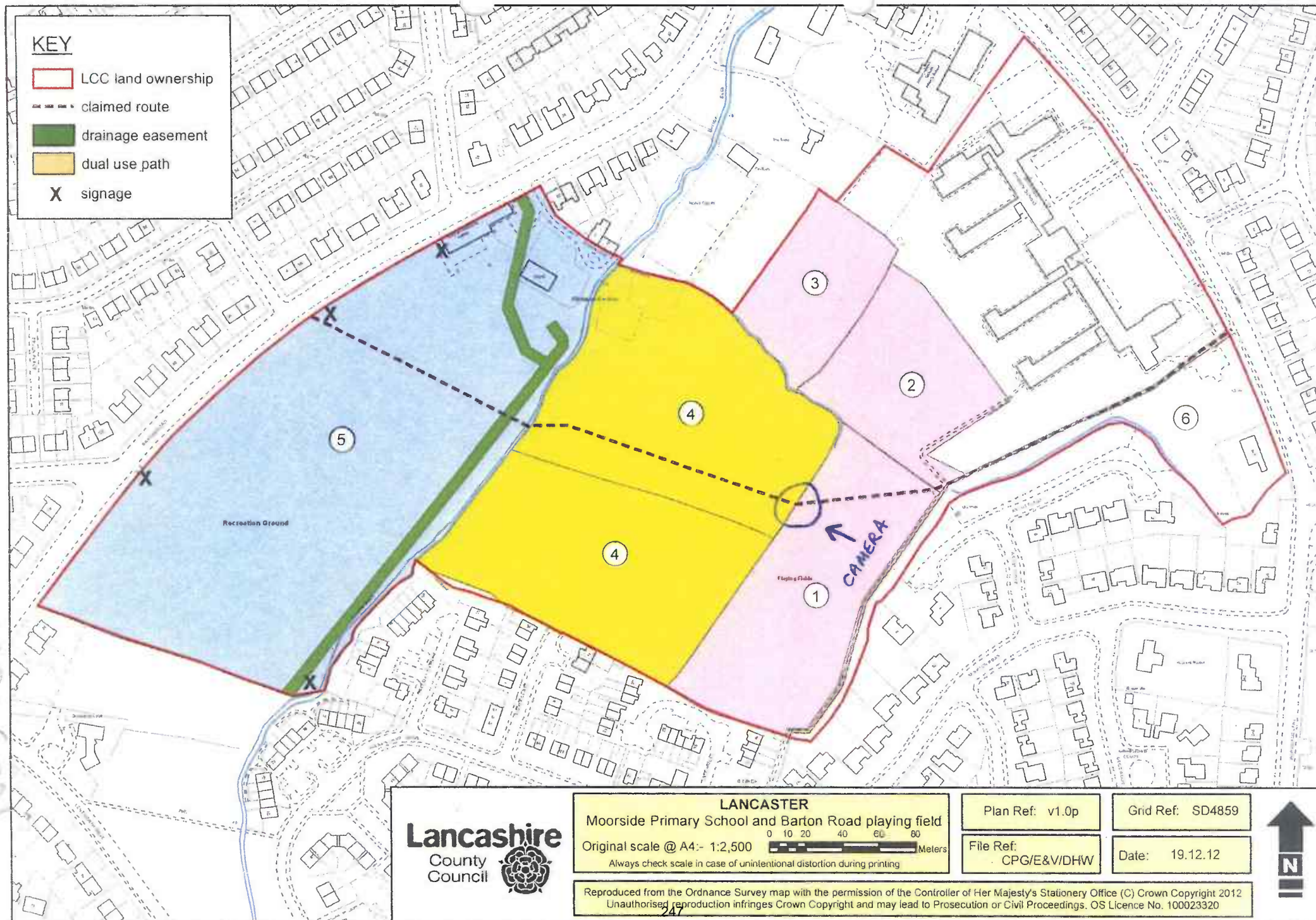
Location of goal posts



SPORTS DAY 12 JULY 2005
SHOWING FOOTBALL GOALS ACROSS CLAIMED RIGHT OF WAY

KEY

- LCC land ownership
- claimed route
- drainage easement
- dual use path
- X signage





SPORTS DAY IS JULY 2008
CHILDREN SITTING AND RACING ON FIELD 1 ON THE
PIAN CORNER BY THE WINDMILL



SPORTS DAY JULY 2005



SPORTS DAY IS JULY 2006
BROKEN FENCE IN BACKGROUND WHICH EXISTED PRIOR TO
THE 1900s. AT THAT TIME, THE FENCE WAS MADE OF STAKES & WIRE.

Report from Mrs. S. McNulty – Teaching Assistant and
Mrs. K. Whiteway – Teaching Assistant

From 2000 to 2002, Shirley and I ran a lunchtime football club for years 4, 5 and 6. From Monday to Thursday, throughout the year, we took approximately 30/40 children on to the lower playing fields and ran two games of football. This gave the boys the opportunity to play football on grass without the confines of the playground, giving them healthy exercise and also freed the playgrounds for the other children to have their games without footballs interrupting them.

The older children were given the responsibility of refereeing matches and teaching the younger boys skills. They also kept score of the matches and ran a 'league'. We had boys in the club who had challenging behaviour, but they rose to the responsibility of helping the younger boys and the exercise and we felt went back to their classes in a good frame of mind.

We constantly ran into the problems of dog mess and on a number of occasions had to clean the boys' trainers on return to school. We also encountered dog walkers who, despite polite requests, would not leave the school land or put their dogs on leads. Some dogs did on occasions jump up at the children. Their owners said 'don't worry, he's only playing' or 'he won't hurt them' but those children were our responsibility and there was no way we could trust the dogs not to hurt a child. We had to stop the games, telling the children to stand still until the dogs went away or we convinced the owners to put their dogs on a lead. There were occasions when the dogs did try to chase the ball and on one particular, rather frightening occasion, a dog brought on to the field by a group of older teenage boys. We recall one dog (Tyson) who was a constant problem. On one particular occasion he chased the ball and sank his teeth into it, puncturing it. The teenagers thought this particularly funny, but it was a very worrying incident for us.

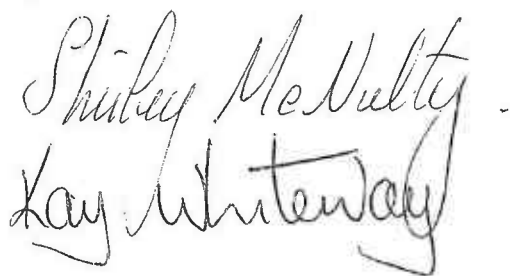
Older teenage boys were a particular problem. They would chant to the boys calling out, telling them to 'get on in there' and 'bring him down'. They would not listen to our requests and on occasions attempted to join in the games. The younger boys found them quite intimidating and some wanted to leave the club. We had to finish the games early when this

happened as the younger children were intimidated and we felt that we could not fully ensure their safety.

In winter the pitches were also a problem as they became very muddy and water logged. We had to finish the sessions early as it took longer for the boys to clean their boots etc.

We ran the club for three years, but with the continuing problems of dog walkers, dog mess and groups of teenagers we felt we could not continue as we were worried for their well being and safety.

Signed:

The image shows two handwritten signatures in cursive. The top signature is 'Shirley McNulty' and the bottom signature is 'Kay Whiteway'. Both are written in dark ink.

March, 2010

Junior Fun Run

Dear Parent/Carer,

On Tuesday 20th April 2004 Moorside intend holding a Fun Run for the children in the junior department. The event will be held at 2 o'clock.

A cross country course will be set up around the sports pitch and surrounding grounds. All children will be expected to have a go though the number of laps completed will be the child's individual choice.

Normal PE kit will be sufficient. However, fancy dress may be worn! There is a charge of fifty pence, paid on the day, for any runner choosing to wear fancy dress. Money raised will be used to buy footballs for school.

Mr Godfrey

Junior Fun Run

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Normal PE kit will be sufficient. However, fancy dress may be worn! There is a charge of fifty pence, ~~paid on the day~~, for any runner choosing to wear ~~fancy dress~~. Money raised will be used to buy footballs for school.

Mr Godfrey

Junior Sportsday 2004

There will be a number of differences to this year's sportsday. The new arrangements will be as follows:

1. Tug of war to start the afternoon – all watching/participating.
2. Eight events for teams to compete in – carousel style as in previous years.
3. Sprint Relay to finish the day with a bang.
4. Results

All events will contribute towards the trophy. There are no longer any individual events.

Each child will be involved in the tug of war just once.

Y3 Ashton v Castle	Y3 Dalton v Priory
Y4 Ashton v Dalton	Y4 Castle v Priory
Y5 Ashton v Priory	Y5 Castle v Dalton
Y6 Ashton v Castle	Y6 Dalton v Priory

There will be just one pull per match and the winning team will be allocated five points.

For the eight team events, your class will stay together and at each event they will need to sort themselves into four teams (Ashton, etc). For most of the team events, a shuttle relay will operate. For example, for the skipping race each team member skips to a marker and back. The winning team receives a token, which they deliver to the scorer's table (centre of field) and which is added to their team's total. If teams are uneven, some children may have to go twice. These events will be timed, so the quicker the teams organise themselves, the more races they get through at that event. The exceptions to relay events are javelin, bean bags and kneeling throw in, all of which will be one competitor from each team at a time throwing against one competitor from each of the other teams. The eight events are:

Skipping running race with rope	First team wins token
Throwing bean bags in hoop	Nearest bean bag wins the token

Javelin	Furthest throw wins token
Obstacle	First team wins token
Egg & spoon	First team wins token
Kneeling throw in	Furthest throw wins token – throw in as in football throw in – large ball from behind head, from a kneeling position.
Ball dribbling	First team wins token
Sack race	First team wins token

Three minutes per event. Teachers will not accompany classes around the field. Teachers will be organising an event and remain with that event until all eight classes have passed through, at which point the teacher takes the last class to sit next to the running track ready for the relay. Support staff responsible for a child should remain with their child round each event. Order of events on field:

	Skiping running race – Miss Mitford	Bean Bags in hoop – Mrs Dent	Javelin – Mrs Tirant	
Sack – Mr Godfrey				Obstacle – Miss Cooper
	Dribbling – Mrs Crockett	Kneeling throw in – Mrs McGregor	Egg & Spoon – Miss Pearson	

The relay will contain the best girl and boy sprinter for each house in each year group. So, each team will consist of a year three girl and boy, a year four girl and boy, etc, eight children in total per team. The order of running for this shuttle relay will be Y3 girl, Y3 boy, Y4 girl, Y4 boy, etc. This single race will award ten points to the winner, seven to second place, four to third and one to fourth place.

To recap:

1. Take class to field at 1.30pm and sit alongside the running track where the rope will be laid out. Teams will be called for and after each pull, must return to their class.
2. Take class to starting event (the one you are responsible for) and let children commence on blow of whistle.
3. Bring your last group to the track for the relay. Competitors sent to me.
4. Any questions, see John!!!

8. Response to user evidence forms submitted by the applicant

The suggestion by many respondents that the right of way offers a traffic-free and therefore “safer” route from A to B is a misrepresentation as there are at least two other routes from A to B which do not necessitate crossing a road (Barton Road > Bowerham Road and Barton Road > Lentworth Drive > Gressingham Drive)

12 out of 46 responses indicate that they did not use the same route across the land

2 responses note a wooden gate at the access to the land on Barton Road

20 out of 45 responses say there is no signage. The remaining 25 state that the only signage is the new one installed in 2008 after the completion of the cycle path (see photographs of signage at various access points to the land which have been there for many years)

One respondent states that “someone I knew asked the headteacher of Moorside School” for permission to access the land

31 respondents state that they have walked their dogs across the school field (despite the signage) – we believe the application is for open access to dog walkers, not a right of way from A to B

A number of the routes claimed are not the shortest or most logical route to take between the points given, for example respondents 4, 5, 40 and 41 all state that they use a route across the fields between 37 Chester Place and 221 Bowerham Road. Respondent 5 also claims the route as a shortcut from 37 Chester Place to the playground on Winchester Avenue when in fact it is far longer via this route.

Respondent 10, states a route from Ulster Road to Barton Road and lives at Lily Grove. None of these destinations would require access via the claimed right of way, as they are all north of Barton Road.

Respondent 14 supports the school’s assertion that there is not a single identifiable right of way across the land and mentions various routes / crossings over the beck.

Respondents 31 and 32 claim to have looked after the fields, however, responsibility for grounds maintenance has always been with the school and the county council. The applicant in fact, being fully aware that the land is owned / controlled by the school, has approached the school on occasions before the event of the installation of the gate to voice their opinion on the school’s mowing regime.

Respondent 35 states that he has visited the field to watch school sports day which suggests an understanding that part of this land forms the school playing fields.

Amrith, Ravinder

From: Mason, Jane [j.mason@moorside-pri.lancs.sch.uk]
Sent: 19 November 2012 12:51
To: Amrith, Ravinder
Subject: Claimed footpath
Attachments: email mike worth to david saul October 2008 _requesting permission_.pdf

Ravinder

I am putting together responses to your earlier queries, but first I have attached a copy of an email from Mike Worth (the applicant) to our chair of governors which you may not have seen before. Dated in 2008, point 4 shows that Mr Worth knew he needed to request permission and consent of the school over the use of this land. Can this be used in the DMMO claim?

Also, will anyone from the school be required to attend the hearing? Or may we attend if we want to send a representative?

Thanks

Jane Mason

School Business Manager
Moorside Primary School
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saul family

From: "MIKE WORTH" <MICHAEL.WORTH1@BTINTERNET.COM>
To: <saul.family@lineone.net>
Cc: <janine@gorgeousmedia.co.uk>
Sent: 04 October 2008 21:20
Subject: Moorsidefields

David

A few key points for your Governors meeting to use as you see fit ;

- 1 The organisation we have formed has community group status registered with the council for voluntary services.
- 2 The group title is Moorside fields Community Group. Chairman ,Secretary, Treasurer and six elected committee members and total a membership of 70 members.The web site address is MOORSIDEFIELDS.CO.UK
- 3 We have identified various sources of funding and professional assistance to achieve the aim of the group; which is "to enhance the area known as Moorside Fields, as a community resource and conservation area" (the area defined as urban green space marked on the 2004 Lancaster City plan).
- 4 One of the tasks within this aim requires the permission and co-operation of the school.

After an "explority" meeting with a selection of your governing team and school representatives I feel we are at a decision point. Do the Governors wish to hear more of what we believe can be achieved or would the school prefer not to be involved?

So that the group can make progress either way (ie) before the growing season next spring, which requires funding applications to be in this calendar year, an early response would be appreciated.

Regards

Mike Worth (Chairman)

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Version: 7.5.524 / Virus Database: 270.7.5/1708 - Release Date: 04/10/2008 11:35

05/10/2008

mbrindle006

From: Amrith, Ravinder
To: Turner, Jane (OCE)
Cc: Walker, David; Bulger, Richard; Brindle, Megan
Subject: DMMO Moorside

Sent: 21/08/2013 13:02:48

Dear Jane

The Objector has read the Applicant's "Response to objection made by Lancashire County Council" (the "Applicant's Response"). The Landowner does not intend to respond to the Applicant's Response point by point at this stage, since it is of the opinion that a further objection will only protract matters, ultimately delaying when the alleged DMMO application is actually considered by Regulatory Committee. The Landowner is of the understanding that this matter is diarised to be considered September 2013 and the Objector is keen for this date to be maintained.

For the avoidance of doubt the Objector reiterates its original objection and in particular paragraph 17 in respect of the relevant period being July 1988 to July 2008. It is the Landowners submission that the locking of the gate on 3 July 2008 called the route into question, this is corroborated by the user evidence forms themselves. The Objector also reiterates its conclusion at paragraph 65 of its Objection and in particular, if for any reason the OMA *makes* the Order the Objector will object to the higher test of confirmation and reserves the right to object point by point to the Applicant's Response and amend, amplify or add to its original objection in light of fresh evidence and/or any further submissions from MFCG or other such persons in favour of the Claimed Route.

I should be grateful if you would confirm that the matter will be considered by Regulatory Committee and forward to me a copy of the report and its minutes in due course.

Regards

Miss Ravinder Amrith

Solicitor
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County Secretary & Solicitors Group
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DX 710928 Preston, County Hall

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