



16.25 Public Access is now restricted in some part of the botanic garden (2023/4)



16.26 Public Access is restricted in some part of the botanic garden (2023/4)



16.27 Access is restricted in some areas of the garden

Treborth Athletics Track

Was created in 1996 as a joint partnership with Gwynedd Council. The athletics track was managed by Gwynedd Council until 2016. During this time the council erected clear signs deterring all public use through school grounds. This again shows a clear intention from Gwynedd Council not to dedicate the land through the former school.

17. Position of Gwynedd Council (Previous landowner)

Gwynedd Council Correspondence

- No known knowledge of any footpaths apart from Pentir Footpath Number 12 - Terms of sale
- Any member of the public that was on school grounds was there to use the facilities - Email from Estates department
- Community impact assessment shows almost no links with the community

Steps taken by Gwynedd Council

- Installed a public footpath sign on the lane to show the direction of Pentir 12
- Installed and locked gates and barriers
- Installed signs to stop all public access
- Received grants from the Welsh government to secure the school borders from public access
- Objected to a pedestrian and cycle network through the school
- Penrhosgarnedd FC and Riding For The Disabled leases show no through use allowed
- No intention to dedicate the land as a through route - Leases of former staff houses
- School grounds were clearly signed. If people were not there for a legitimate reason they were clearly trespassing. Everybody knew they were coming through a school
- Challenged made by staff members
- Did not take any steps to record the route as a footpath during their ownership

It is well known that School premises are private property, and as such, the public has no automatic right of entry. In a statement made by Andrzej Griffith, it is clear that staff at Ysgol Treborth behaved in a way which one would assume at a residential special school. That is, any unknown person(s) would be challenged.

The general public did not freely walk around the grounds, nor did they approach the school, anyone coming to Treborth would do so explicitly for a reason, such as visiting a teacher, a resident, or going to the Horse Riding For the Disabled Centre.

Anyone on the school grounds would have been approached by a member of staff or resident, in order to ascertain their reason for being there.

Even after I left Bangor and went to live in Pwllheli in 1989, I returned to Treborth to teach swimming at the Treborth Swim School for every Saturday and Sunday during term time, from 1995 – 2005, even during this period the only people we saw on the grounds of Treborth were parents dropping off their children at the swimming pool or at the football pitches, where a local junior football team would play.

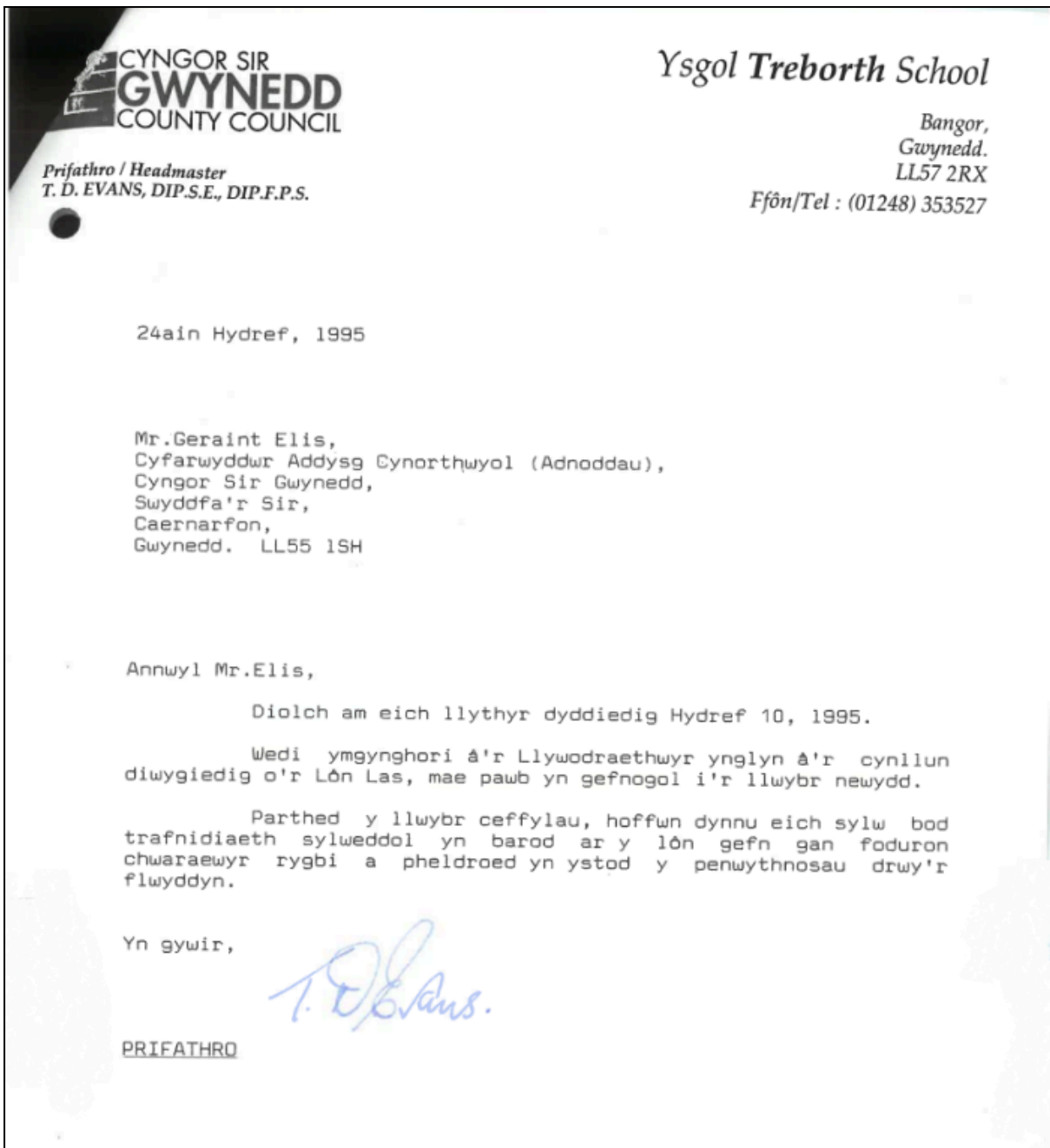
17.1 Extract from Andrzej Griffith statement

It is clear that even on weekends, members of the public were not free to use the route through the school.

Further information
I have walked this route for most of my life and do so several times a week at various times during daylight hours, and sometimes during darkness. I would describe the route as very well used by many people as it comprises a section in a couple of similar routes. I was aware, when the building Ysgol Treborth operated as a school, that express permission was granted to use the path for recreational walking. When our children (now 29 years and 24 years) were young, they attended running lessons at Ysgol Treborth. Since the sale of the school to the current

17.2 Mark Jones (124) - Express permission was granted by Ysgol Treborth for recreational walking

Irrespective of the truthfulness of his statement, Mark Jones states that express permission was granted by the school, It is clear that a public footpath cannot be granted when permission has been given.



17.3 Considerable traffic on back school lane at weekends - not suitable for pedestrians or cyclists - 1995

In letters to Sustrans, it is clear that access to the school sport pitches was from Treborth Road only. This was only on weekends. The letter shows that it is unlikely that people would be using this route for "leisure" at these times due to the number of cars that were using the narrow lane for school access.

Lon Las Cymru

Yn dilyn eich ymweliad i drafod y sefyllfa gyda'r llywodraethwyr, hoffwn ymateb ar eu rhan gyda'r sylwadau canlynol sy'n adlewyrchu pwyntiau a wnaethpwyd dros flwyddyn yn ôl.

1. Dros y flwyddyn diwethaf mae'r ysgol wedi symud ymlaen i ddiogelu eu ffiniau gyda grantiau diogelwch drwy'r Swyddfa Gymreig. Hynny yw, symud ymlaen yn fwiadol i rwystro mynediad drwy godi ffensiâu a chlwydi er mwyn rhwystro mynediad cyhoeddus i dir yr ysgol.
2. Mae hyn yn adlewyrchu symudiadau cyffelyb ar diroedd y mwyafrif o ysgolion yn genedlaethol. Ar hyn o bryd mae tramwyo cyhoeddus yn digwydd ac mae'r ysgol yn symud i'w lleihau. Gall rhoi hawl cyhoeddus i dramwyo ar gyrion ysgol breswyl arbennig achosi mwy o drafferthion wrth wahodd dieithriaid amheus i adael y safle.
3. Byddai-mynediad i dir yr ysgol yn agos i drac rheilffordd yn debygol o hwyluso mynediad i'n disgyblion i fan peryglus ac yn gallu hwyluso ffordd arall iddynt redeg i ffwrdd. Pa mor ddiogel bynnag yr honnir y gellir diogelu y llwybr o'r rheilffordd erys mannau gwan amlwg.
4. Oherwydd bod sawl anhawster wedi codi gyda'r llwybr yn ardal Treborth, tybed a oes modd cyfeirio y Lon Las ar hyd y ffordd fawr rhwng Gwesty'r Antelope a phentref Treborth.

Yn gywir,


PENNAETH

17.4 Letter from J Grisdale - The former headteacher

Translated: "1. Over the past year the school has progressed to protect their borders with security grants through the Welsh Office. **That is, deliberately proceeding to block access by erecting fences and gates in order to block public access to the school grounds.**

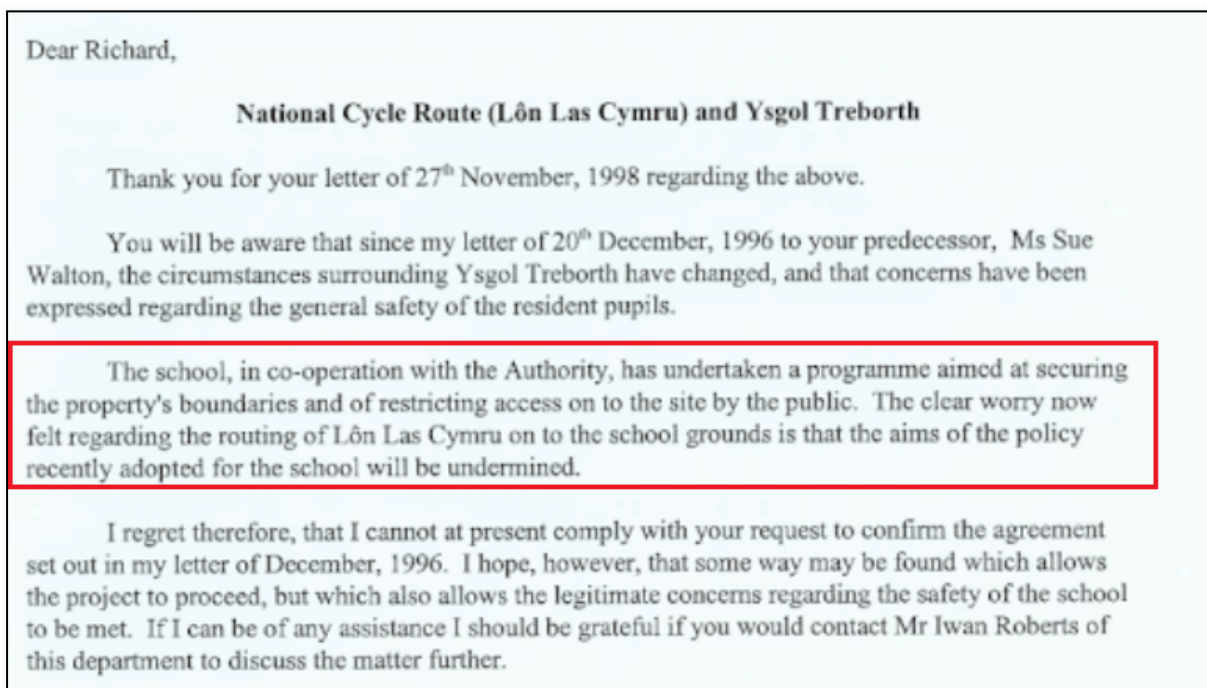
2. This reflects similar movements on the grounds of the majority of schools nationally. At the moment public transit is taking place and the school is moving to reduce it. **Giving a public right of way on the outskirts of a special residential school can cause more trouble when inviting suspicious strangers to leave the premises.**

3. Access to the school grounds close to a railway track would likely facilitate access for our pupils to a dangerous area and could facilitate another way for them to run away. However safe it is claimed that the route can be protected from the railway there are still obvious weak points."

It is extremely clear from this letter written by the former headteacher J Grisdale in

1999 that **public access through the school was not accepted**. Ysgol Treborth received grants from the Welsh government to block public access to the school grounds. This clearly shows that the authority had **no intention to dedicate this land to members of the public**.

J Grisdale then proceeds to state that **it would not be appropriate to allow a right of way for members of the public**. This again shows that the School and local authority had no acceptance for members of the public to be on school grounds.



17.5 Letter from the Director of Education and Culture objecting to the sustrans path

The Director of Education and Culture further backs up the authorities stance on this matter of securing the property's boundaries and of restricting access to the site by the public. Again this is a clear intention not to dedicate their school land to members of the public.

Mr Iwan Roberts.

CYFARWYDDWR Y GWASANAETHAU TECHNEGOL

IR/SMJ

19 Tachwedd, 1996.

PONT GER YSGOL TREBORTH

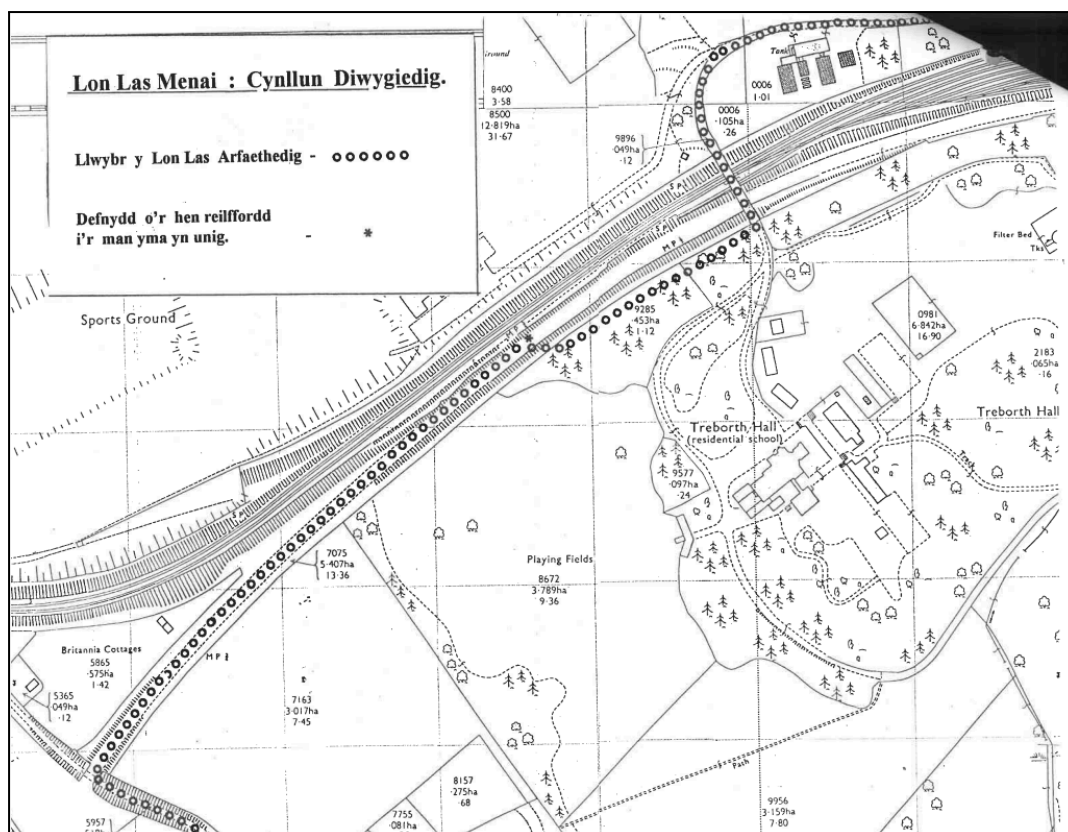
Diolch am eich memo ynglyn â'r uchod.

Nid yw'r Adran hon yn gyfrifol am drefniadau archwilio na cynnal a chadw y bont uchod, cymeraf fod y cyfrifoldeb hwnnw gan Adran y Gwasanaethau Technegol. Deallaf fod gwaith go sylweddol wedi ei gyflawni mewn perthynas â'r bont yma rhyw 2 neu 3 mlynedd yn ôl.

17.6 Letter detailing substantial work carried out on the Treborth bridge

The letter translates to: "I understand that substantial work was carried out in relation to this bridge some 2 or 3 years ago."

It also appears from discussions with Sustrans that there were significant works carried out to the Treborth access bridge 2 or 3 years prior to 1996. This provided a **clear interruption to the route**. All access to the school from this bridge would be stopped by the school and traffic diverted. There are no known mentions of this by users.



17.7 Sustrans Consultation with Gwynedd Council - Local authority did not want the route through school in 1995

A route was proposed which clearly avoids access through Ysgol Treborth. Even this route was eventually objected to by the local authority.



17.8 No national cycle path through Treborth despite the school closing

The national cycle path that has been created is suitable for all pedestrians and cyclists. This path can be used for leisure/recreation. Users can use this route to access the Treborth Wales coastal path. There is no need to access the Wales coastal path through Treborth Hall.

My name is Andrzej Griffith, I am hereby writing a statement with the express intention of declaring that while I was a resident of Rhif 1 Ty'r Ysgol, Ysgol Treborth (Number 1 School House, Treborth School) between the years of 1981-1989, there was no public access to the school nor through the school grounds.

Many of the students of Ysgol Treborth (Treborth School) would stay on school grounds overnight from Monday to Friday during the school term, because many of the students had either behavioural or learning difficulties, and some were vulnerable children from troubled backgrounds, the teachers held their responsibility, with regards to the duty of care they had for the students, of paramount importance.

The general public did not freely walk around the grounds, nor did they approach the school, anyone coming to Treborth would do so explicitly for a reason, such as visiting a teacher, a resident, or going to the Horse Riding For the Disabled Centre.

Anyone on the school grounds would have been approached by a member of staff or resident, in order to ascertain their reason for being there.

Even after I left Bangor and went to live in Pwllheli in 1989, I returned to Treborth to teach swimming at the Treborth Swim School for every Saturday and Sunday during term time, from 1995 – 2005, even during this period the only people we saw on the grounds of Treborth were parents dropping off their children at the swimming pool or at the football pitches, where a local junior football team would play.

Andrzej Griffith

17.9 Full statement by a former resident of Treborth School

Laws that applied to Ysgol Treborth/Coed Menai

Schools are private property. People do not have an automatic right to enter. Parents have an 'implied licence' to come on to school premises at certain times, for instance:

- for appointments
- to attend a school event
- to drop off or pick up younger children

Schools should set out their rules for this and tell parents what they are. Anyone who breaks those rules would be trespassing.

All schools within Gwynedd Council have an obligation to comply with the:

- Health and Safety at Work Act 1974. (Schools have a specific obligation to prepare a written health and safety policy)
- All Wales Child Protection Guidelines 2008
- Child Protection In Education: Circular 158/2015 WG
- Working Together – the 2004 Act
- Gwynedd and Isle of Anglesey Safeguarding Children Board and North Wales Local Safeguarding Board Protocols and Policies

The education service implements Gwynedd's corporate and educational responsibilities when ensuring that all schools, units, Further Education colleges, other education placements and partners have effective procedures when:

- preventing inappropriate individuals from working with children and young people
- promoting excellent practices and challenge inadequate and unsafe practices
- robustly identify and respond to any concerns as regards a child's safety and well-being, implementing procedures that ensure safety
- regularly monitor and evaluate to improve quality of structures and service protection procedures

I believe that Gwynedd Council upheld their legal responsibilities and ensured the well being of students at the former residential special school by preventing all public access through the school and challenging any unknown person(s). This is confirmed to be the case by former students, residents, Sustrans discussions and the Estyn Reports.

If Gwynedd Council knowingly allowed members of the public to trespass over the school then they would be at breach of a wide range of laws.

Learning environment: Adequate

The school has an inclusive atmosphere that ensures equality and respect towards every pupil. The staff ensure that every pupil is included in every aspect of the life of the school.

The school has good policies and procedures which ensure that the pupils and members of staff are free of any harassment.

In general, there is a satisfactory range of resources to meet the requirements of the curriculum. The grounds and environment of the school are large and they are used well to enrich pupils' experiences, for example to develop the wild garden.

17.10 Estyn Sep 2005 Report shows that the grounds of the school were used well to enrich pupils experience

48 The school telephones parents, when pupils are absent or when it needs information urgently. However, parents and carers do not receive enough information through newsletters and letters.

49 There are appropriate induction programmes that help learners settle quickly into school.

50 The school monitors pupils' punctuality, attendance and behaviour, and takes early action where necessary. However, the school has not explored enough with the LEAs enough other ways to improve attendance.

51 Good links with Careers Wales ensure that pupils have enough information to make informed choices.

52 The school successfully ensures the welfare of its pupils from day-to-day. There are clear policies and procedures that all members of staff follow thoroughly.

53 The school has a child protection policy and a named individual responsible for child protection issues. However, there has been no update training to ensure that all members of staff are aware of the procedures.

54 Pupils' individual education plans are not targeted specifically enough towards educational progress and the school does not fully support all pupils in relation to the educational and behavioural needs that are outlined in pupils' statements of special educational needs.


17.11 Estyn 2011 report shows that the school successfully ensured the welfare of students

Withholding/Lost Information

During this process there has currently been a great deal of information either withheld or lost by Gwynedd Council.

- No survey cards from Pentir 12 footpath
- No detailed information in relation to the Pentir Footpath 12 diversion
- Gwynedd Council and Bangor University do not know when signs for the school were put up or taken down
- Gwynedd Council and Bangor University do not know when security measures, gates or barriers were put in place
- Gwynedd Council do not know when school signs were put up or taken down
- Gwynedd Council do not know when footpaths signs were installed
- Unable to view archived school minutes under data protection
- Education department claim that no minutes in relation to the premises exist

ATB/RE: Treborth Hall School Governing Body Minutes 🔍 Inbox x



Archifau <MA1019@gwynedd.llyw.cymru>
to me ▾

Thu, 28 Dec, 09:57 (1 day ago) ☆ 😊 ↩ ⋮

Dear Mr Margetson,

Thank you for your email. I'm afraid that the minutes are closed as they include personal information relating to the pupils and staff at Treborth School. If you are searching for information relating to yourself in the records you will need to complete a form and return it along with relevant identification to access these records. Please let us know if this is the case and we will forward the relevant form to you. With regards to earlier and later minutes I suggest that you contact the Education Department as they may hold these records.

Kind regards

Lynn C. Francis

Lynn C. Francis
Prif Archifydd / Principal Archivist
Gwasanaeth Archifau Gwynedd Archives Service
Cyngor Gwynedd Council

(01286) 679 087 / (01286) 679 095

www.gwynedd.llyw.cymru/archifau

17.11 Response from Caernarfon archives

As per Gwynedd Council Governors Handbook: "PREMISES, HEALTH AND SAFETY SUB-COMMITTEE: It will be necessary to appoint a lead governor in health and safety from the Premises, Health and Safety Sub-committee, and the person appointed needs to possess an adequate understanding and knowledge of the field." Therefore all maintained schools within Gwynedd Council will have had governors who were involved in the premises and safety of school grounds.

I have been informed by Gwynedd Council that school of governors minutes relating to the grounds of the school cannot be found despite the schools data retention being PERMANENT. I believe this to be a breach of data protection and freedom of information by Gwynedd Council who are withholding this information.

1. Any risk assessments that were carried out in relation to the school's premises and grounds

2.4.2	Health and Safety Risk Assessments	No		<p>Life of risk assessment + 3 years</p> <p>(Details below in regards to risk assessment that are sent with HS11)</p>	SECURE DISPOSAL
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2. Any risk assessments that were carried out in relation to potential risks to children from public access to children at the school or during activities or outings

2.4.2	Health and Safety Risk Assessments	No		<p>Life of risk assessment + 3 years</p> <p>(Details below in regards to risk assessment that are sent with HS11)</p>	SECURE DISPOSAL
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3. Any previous prospectuses for the school

1.4.2	Records relating to the creation and publication of the school brochure or prospectus (if relevant)	No		Current year + 3 years	STANDARD DISPOSAL
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4. Any information from the meeting of governors relating to the grounds of the school e.g. access, security, members of the public etc.

	Principal Set (signed)			PERMANENT	If the school is unable to store these then they should be offered to the County Archives Service
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5. Any School Policy/Rules Documentation or Handbook

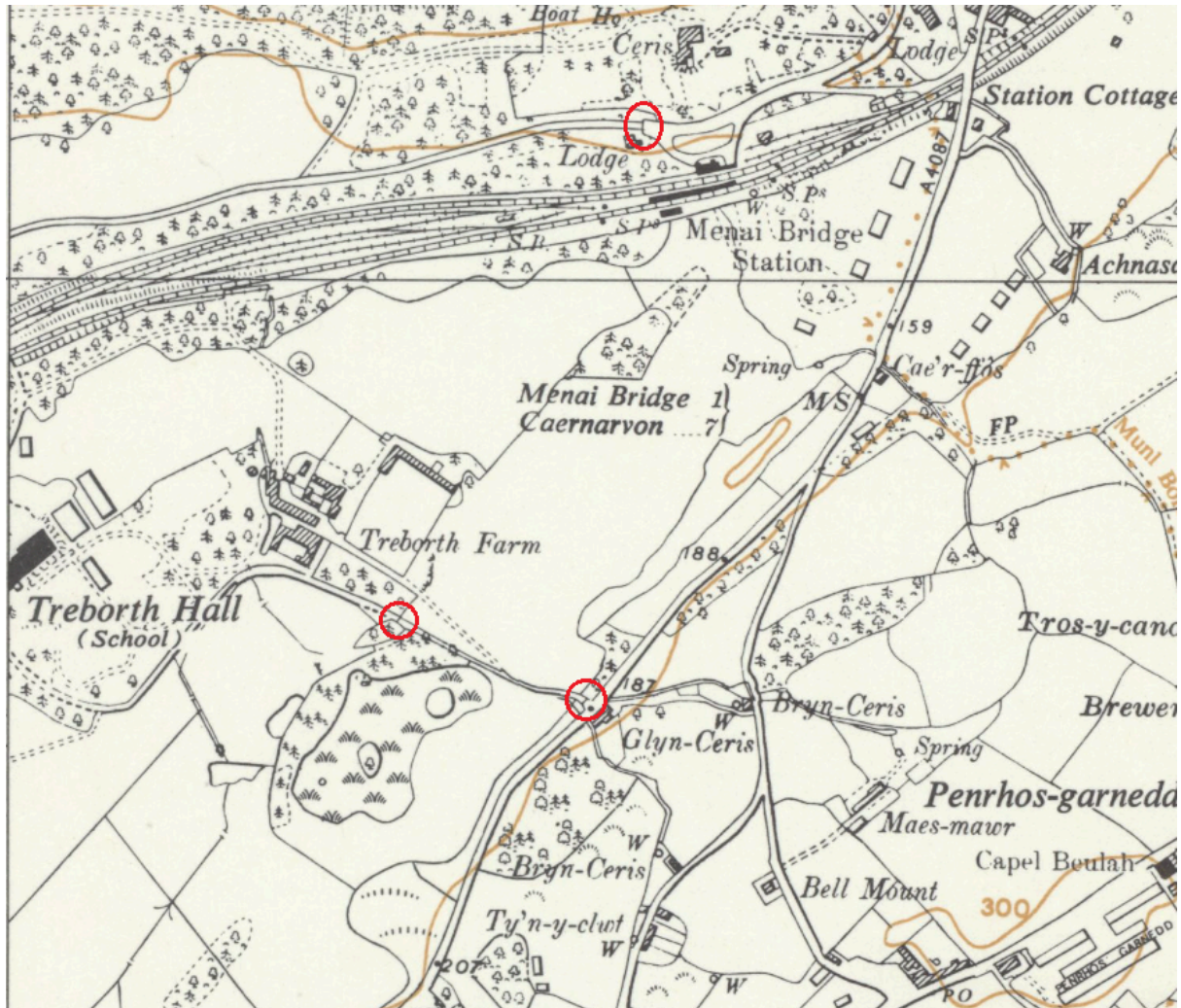
1.4.2	Records relating to the creation and publication of the school brochure or prospectus (if relevant)	No		Current year + 3 years	STANDARD DISPOSAL
2.4.1	Health and Safety Policy Statements	No		Life of policy + 3 years	SECURE DISPOSAL

6. Any additional information or correspondence relating to the running of the school that concerned security (gates, barriers, patrol staff etc.) or access.

1.4.1	General file series	No		Current year + 5 years then REVIEW	SECURE DISPOSAL	
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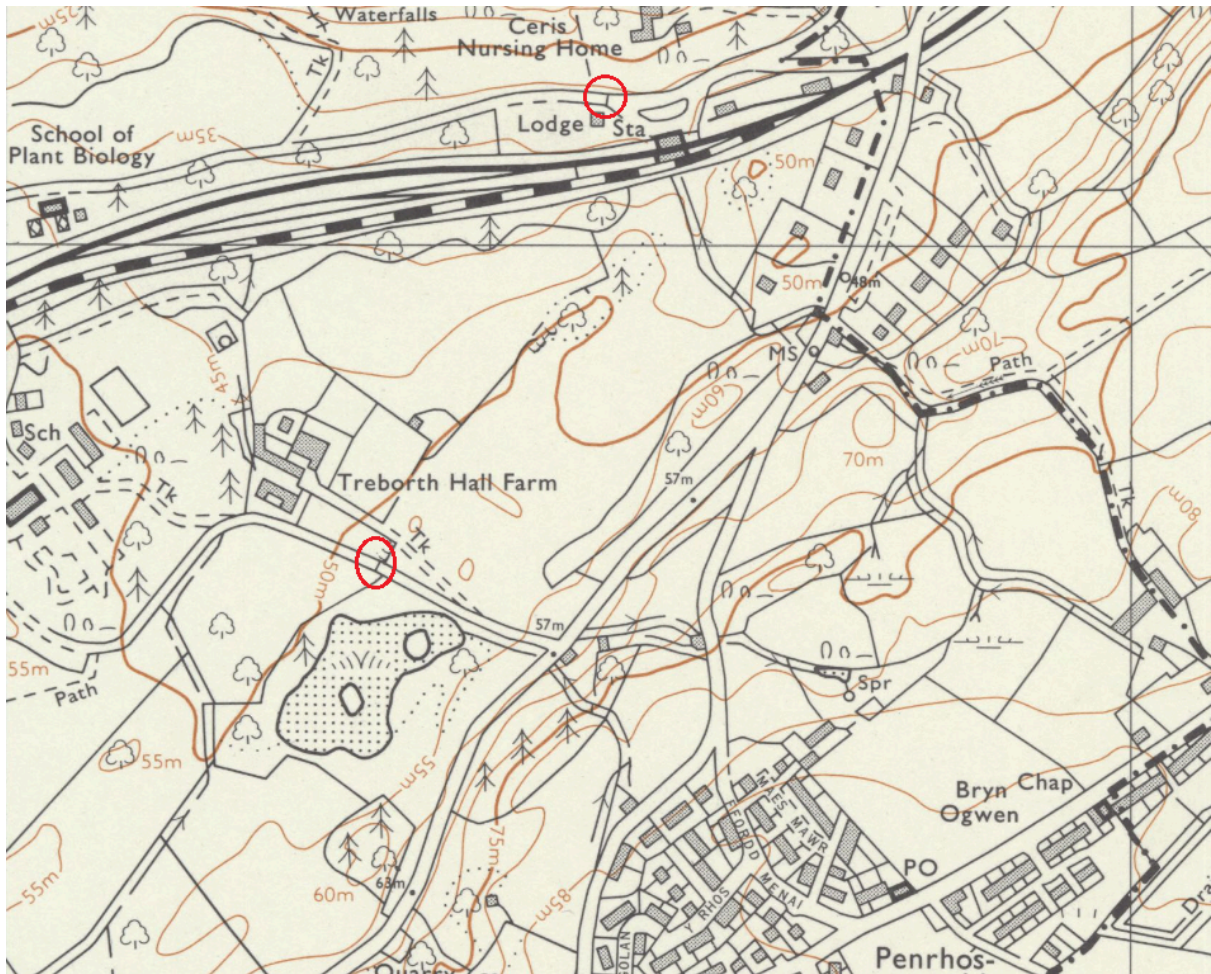
4.2.1	All records relating to the maintenance of the school carried out by contractors	No		Current year + 6 years	SECURE DISPOSAL	
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18. Historic area maps of Treborth



18.1 1963 OS map

The map from 1963 clearly shows two gates from the Treborth Road entrance. The map clearly shows no entrance to the estate from the Treborth Botanic gardens. It is likely that the Grade 2 listed gates next to the lodge were still in situ during this period.



18.2 1972 OS map

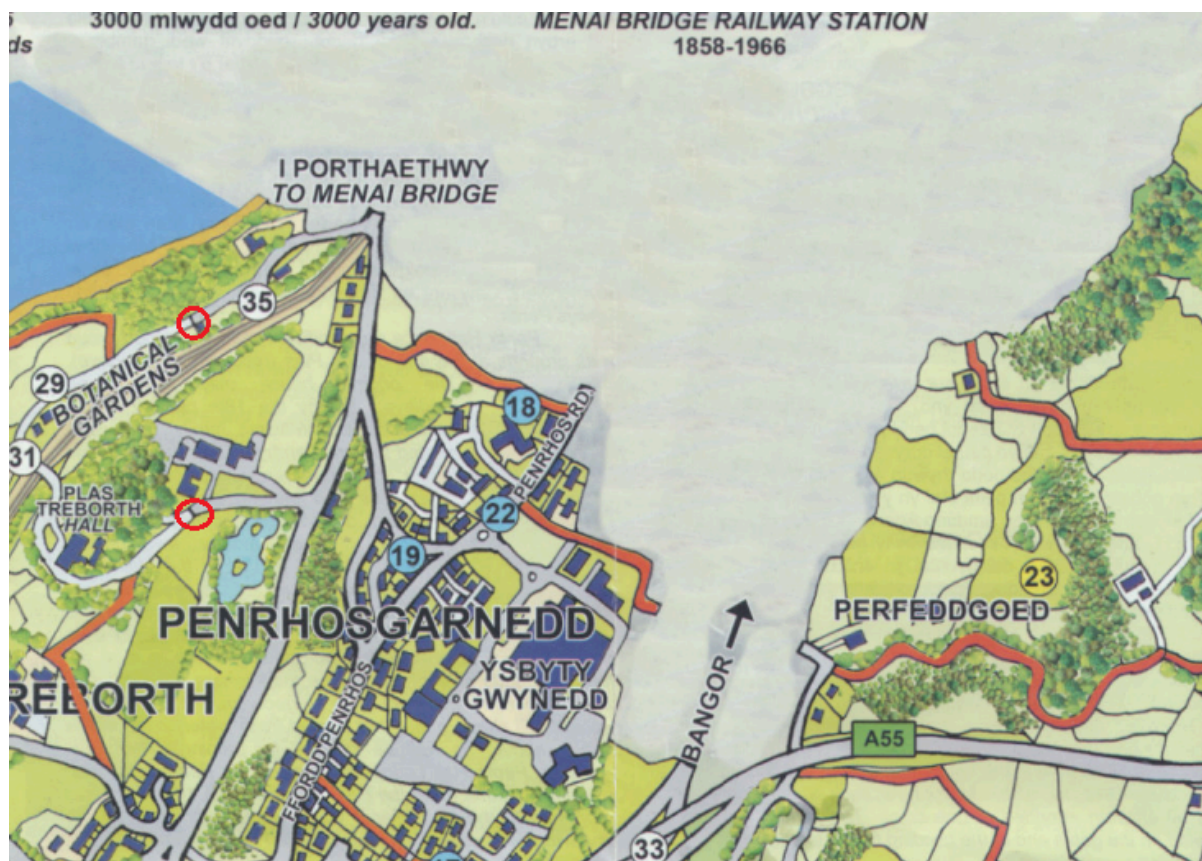
The map from 1972 clearly shows one gate from the Treborth Road entrance. The map clearly shows no entrance to the estate from the Treborth Botanic gardens. It is likely that the Grade 2 listed gates next to the lodge were still in situ during this period.

Gorchmynion Gwiriad Diddymu Diwigiad Diversion, Closure or Amendment Orders

On the gates at the main road entrance to TREBORTH FARM there are two notices. One marked PRIVATE and the other NO UNAUTHORISED PERSON ALLOWED BY ORDER OF THE CAERNARVONSHIRE EDUCATION AUTHORITY but according to Public testimony there has always been a right of way.

18.3 Caernarvonshire education authority signs and gates

During these time periods, it is likely that the gates and Private signs as referred to in Pentir 12 footpath remained in situ.



18.4 Pentir Community Council Maps Leaflet Produced in 2017

This map suggests that there are gates on both entrances to Treborth Hall. Taken from the Pentir Council leaflet which states Treborth Hall is strictly private.