



FAQs Hospital Walk Footpath

1. Where is Hospital Walk footpath?

Hospital Walk footpath runs between Horncastle Road and Crowtree Lane dividing King Edward VI Grammar school's main site and its Foundation House site: this was the site of the old Louth Hospital which was acquired by the school in 1988.

2. Who owns the footpath?

King Edward's owns the footpath as indicated on the Land Registry Plans available on www.kevigs.org/consultations and or via the Government's Land Registry Portal.

3. Has King Edward's applied to close the footpath?

No.

Over the past fourteen years we have had various discussions with LCC and also more recently with ELDC about the ways in which we can manage, maintain and secure the footpath. Most recently this has included a discussion about a Public Space Protection Order [PSPO] following various safeguarding concerns detailed below.

4. What is a PSPO?

A PSPO is not a closure or stopping up order but instead would restrict public access to the footpath during the school day from 08:30 - 16:30 Monday to Friday, term time only.

5. Has the school applied for a PSPO?

No.

The school has explored with ELDC what a PSPO is, how it is used and how to apply for one but no application has been submitted. Instead, the school, on the advice of ELDC, agreed to seek a local agreement with residents and footpath users first, and then review the impact this has on improving the safeguarding situation for students.

6. Can the school close the footpath or restrict access to it?

No.

Any landowner wishing to close - temporarily, or permanently - divert, or restrict access [PSPO] must apply to do so through the proper Local Authority for closure or diversion, or through the District Council for PSPOs. The duty then falls to these bodies to run a formal public consultation as part of the application to close or restrict access to the footpath.

Only the Secretary of State via this application and consultation process can close a footpath.

7. What safeguarding issues has the school faced?

The school has seen an increase over the past few years of incursions onto the school site via the footpath gates - despite these having electronic locks, CCTV, and requiring a key card to access them. In addition to this we have had incidents of vandalism, paint being thrown over the school buildings, intimidation and harassment of students and staff, youths cycling or riding motorcycles up and down the footpath from 3pm and the targeting of our students by the local youths keen to try and supply drugs to our students. The final straw was an incident involving a student who was attacked by these youths with an offensive weapon, resulting in a head injury.

8. What does the school's legal duty of care cover in these situations?

The Education Act 2002, case law and common law duty related to this act, and the general duties to employees and non-employees [students/visitors] under the Health and Safety at Work Act all govern the legal responsibilities of schools to safeguard their students, and staff on the premises. These duties are often referred to as the school acting 'in loco parentis' i.e. acting as if they were a reasonable parent, making reasonable decisions to ensure the safety of their child. This duty is also age dependent and varies with the age and relative abilities and risks to the child, 'in loco parentis' looks very different in a nursery compared to a Sixth Form college.



9. What does this mean in practice?

For schools this legal duty of care requires all schools to have in place arrangements to protect students, staff and visitors to the school site from physical or mental injury e.g. trips and falls, accidents, injury, harassment and abuse.

10. How far do these legal duties extend?

These legal duties cover the school, its site and all facilities, travel to and from these facilities, trips and visits and also the immediate vicinity of the school e.g. the duty to manage students onto school buses. These duties do not extend any further than this or apply where a parent or the police have jurisdiction e.g. our Sixth Form may leave site and go into town as responsible young adults under our 'in loco parentis' duties and are subject to enforcement of the law by the police in the same way that they would be when their parents let them go into town shopping etc.

11. How does this apply to the footpath?

Under the law the school has a legal duty to identify and put in place controls/measures to protect students, staff and visitors to 'foreseeable' events. The build up of incidents on the footpath during the course of last year has changed the status of events on the footpath from unlikely, to 'foreseeable' and thus our legal duty of care requires the school to take action to secure the footpath.

12. Have these incidents been reported to the Police?

Yes, the latter incident was reported and has a crime number against it. We also have witness statements from the event including those from staff and students involved in the incident. All other incidents are either reported to the police or involve the police via calls to PCSOs for assistance on site, however, due to staffing shortages they normally attend well after the event has occurred.

13. What steps has the school taken to improve security?

Over the past ten+ years we have increased site security on the footpath installing additional gates, fencing, electronic locks with card access, CCTV on the school gates, and varying duties carried out by staff to patrol the footpath.

Our next steps would be to look at the ideas below [this includes some suggested at the meeting on the 14th September – items b/c/d]:

- a. erect signage and warning notices,
- b. install CCTV on the footpath itself,
- c. erect gates to deter cyclists and motorcycles or other vehicles using the path,
- d. employ a dedicated person to patrol the footpath at break, lunch, lesson changeovers etc,
- e. erect a bridge or bridges over the footpath,
- f. introduce a type of gated level crossing arrangement during lesson, break and lunch change overs,

14. How and what has the school decided to do next?

Following the public meeting with residents and users on the 14th September it is the school's intention to work with representatives of local residents and users to assess and implement some or all of **a) - e)** above to try and further improve the safeguarding arrangements for our students and our staff.

We intend to review the impact of these changes in July 2023, with the police, residents and users before considering whether or not to apply for a Public, Space, Protection Order to restrict access to the footpath during the school day.

15. How can I get involved?

We are looking for residents and users to volunteer to be part of a permanent consultation committee to provide us with a standing group with whom we can engage in discussions about the proposed changes to the footpath but also the various building projects we have planned as part of Strategic Site Plan [see below]. We also intend to approach a number of residents that are already known to us due to their strong views and encourage them to be involved in the group.



Other FAQs emerging from the 14th September Meeting

Land and Building FAQs

1. What are the plans for Crowtree House [old nursing home]

The school has wanted to develop Crowtree House for educational purposes to work with businesses to broaden the post 16 offer in the town. However, despite numerous applications we have been unable to get funding from the government to support any of our plans either because of austerity and the withdrawal of many of the government's school building programmes.

Trustees are in discussion about the future of the building, and one of the options includes disposal.

2. Why did the school dispose of The Limes and purchase Crowtree House?

Since Donald Witney's and John Haden's headships the School Governors and the Foundation Trustees have had a strategic plan to retreat from the buildings around School House Lane and the Westgate area since 1980. During this time the Trust has sold Suffolk House, Masson House, The Sycamores, The Limes, and a variety of other properties to reduce overheads, dispose of unneeded boarding accommodation as part of reorganising from a boarding to a day school. This allowed the Trust to provide match funding to support Local Authority, and now Department for Education investment in the consolidation and expansion of the school as a day school on the main Crowtree Lane site.

3. Why did the school dispose of the old school Julian Bower playing fields?

By 2005 the Julian Bower playing fields had fallen into a state of disuse and disrepair because its use had been phased out by the school under John Wheldon's headship in the late 90's early 00's. Since 2005 the school's preference has been to use the larger, higher quality and more professional facilities available at London Road and The Meriden Centre. As required by the Charity Commission proceeds of the sale were reinvested as match funding into the new Sports Hall and Elite Performance Centre to provide 1st class sport facilities for King Edward's and winter training provision for the clubs based at London Road.

4. Will the school be letting the Sports Hall out for commercial use to the general public?

No.

The basis of the school's planning application and funding was on the premise that the school wouldn't create a 'Meridian 2' acting in competition with them but would instead look to create an Elite Performance offer with local clubs under a Sports Partnership. This Sports Partnership will link in with the school's plans to identify, develop and train local talent with support from the Outreach programmes provided by Hull, Lincoln and Loughborough University's Sport Science departments.

5. Has the school considered parking and noise issues relating to this use?

Yes.

These factors were considered by ELDC as part of successful planning application and also form part of the school's wider community use agreement to ensure that all club hires occur out of school hours between 5.30pm - 9.30pm Monday to Friday and/or on a Saturday/Sunday morning.

By restricting use to out of school hours this allows the school to provide parking in the school's Newton Hall and Foundation House car parks. Entry on and off the site will be the responsibility of each sport club's designated key card holder who will be responsible for seeing people on and off the school site in an orderly manner during the hire period.

6. Does the school plan to sell its remaining playing fields or any other assets?

No.

The school has now successfully completed its consolidation onto the main campus and plans to retain all of its existing fields and buildings*. The school's ten-year strategic site plan available on our website www.kevigs.org/consultations details the focus for all our future site investments to support our planned curriculum improvements.

*with the possible exception of Crowtree House [see above]