

I, Helen Boddy have lived in Reigate for 18 years. I am a Principal of Boddy Matthews Solicitors here in Reigate and Vice Chair of the Governing Body of Reigate Priory Junior School. I am appointed as the Local Authority Governor. I am also a parent of a 9 year old child at the School. I speak as a parent and on behalf of the Governing Body of Reigate Priory School.

The Governing Body of the School is made up of 18 Governors including Parent Governors, Local Authority Governors, the Head Teacher, the Deputy Head Teacher and other staff. The Governing Body has invested considerable time and effort in understanding the nature of Mr Elson's application and the implications for the School. It has been noted that Mr Elson is a Council employee, but this interest is not something that he chose to declare in making his application. Because of the technical and legal issues involved, the School has taken specialist legal advice in relation to this application.

Whilst the Governing Body understands that health and safety issues are not legally relevant to this application, it will not rest until the Council recognizes that the safety of the children of the School is paramount. The Governing Body wishes to place on record and ensure that this Committee, members of the public (in particular, parents of children of the School) are made expressly aware that if an MMO is made, the Governing Body will request the Council to exercise the power it has by statute (under section 118B/119B of the Highways Act) to extinguish or divert the path because it must be expedient for the Council to do so. In our view, there is overwhelming evidence that should persuade Surrey County Council of the expediency of making an order to close or divert the path for the simple fact that this will result in a substantial improvement in the security of the School.

Any use of the Priory School land was not "as of right". Notices have made clear that there is no "right" of way. It can never have been the intention of either Reigate and Banstead Borough Council as the land owner in granting a lease to Surrey County Council to use the land for a junior school, or Surrey County Council as the tenant maintaining a junior school on the land, to dedicate the way as a highway. Notices have clearly indicated a contrary intention; that the land is not intended to be open to the public. This position is supported in the lease. Anyone with a modicum of common sense would recognize the fact that no reasonable person or organization would permit a school to be open at any time of day to any Tom Dick or Harry.

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