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| **Comments**  | **CCC response**  |
| This was reported to the (Town) Council at last night's meeting and it was supported to make the Order. If confirmed, the Council requests that the new road - between B and Ffordd y Goetre be clearly signposted. | N/A  |
| I write to object to any closure of the public footpath stated above.Before stating my objections, I would like to mention that the way this has been presented to the public, in my opinion, is inaccurate, if not misleading, and lacking in content. On receiving the circular letter, no information was provided on how to access the "full details" on the Council's website. After eventually receiving a link, the map provided does not fully show the alternative route and its description is incorrect. On first inspection, it appears to be only a minor diversion. There is not even a mention of the much busier ‘Bro Allt-Y-Graig’ which is part of National Cycle Network 822 nor does it even name or show the location of this road or even name Goetre Road (Ffordd Y Goitre) on the map. As to the appropriateness of the section of Act being relied upon for the closure, I am in doubt of the actual legalities of the proposal as the Council’s statement of reasons (and draft order) does not specify which of the statutory purposes set out in s.1 of the Road Traffic Act 1984 the Council is relying on, referring only to safeguarding and security issues at the school. However, I believe the proposed footpath closure cannot be made under the provisions of s.1 of the Road Traffic Regulation Act 1984. No evidence has been put forward of danger, or likelihood of danger, to persons or traffic using the footpath.Use of s.1 of the 1984 Act in these circumstances also appears to be in conflict with the Council’s statutory duty under s.122 of the Act. Section 122 explains that it is the Council’s duty to use the functions given to it by the Act to ‘secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians)…’. The prohibition which is proposed to be imposed by the order would make pedestrians walk on a narrow single-track road with no footway. It is also a considerable diversion. That is not the securing of safe or convenient movement of pedestrians. My objections to closing the path are as follows:This is a public right of way which provides the residents of Ffordd Y Goitre, school pupils, and walkers alike a safe passage where pedestrians can walk unaffected by road vehicular traffic. This route is even promoted by the Council in their Walks and Rides webpages http://www.ceredigion.gov.uk/resident/coast-countryside/exploring-ceredigion/walks-and-rides/ and http://www.ceredigion.gov.uk/media/5747/aberaeron-to-aberarth-circular.pdf.The alternative route is considerably longer and along a single-track road with no pavements or footways. There is an increasingly larger amount of traffic on these roads, especially Bro Allt-y-Graig with its access to Llanerchaeron Estate and cycle path. Both these roads are steep, narrow, poorly lit, treacherous in icy conditions and suffer from serious flash flooding. There is a lack of places for vehicles to turnaround along this route. Drivers of larger vehicles such as lorries, vans, groceries/home deliveries, tradespeople, often completely block or reverse blindly up and down this route, as well as the 'boyracers' and cyclists that can travel at some speed along these roads. I believe that it is only a matter of time before a serious accident happens. Ceredigion County Council itself is of the opinion that this route is dangerous, being part of the national cycle network 822 to Llanerchaeron, and are looking at alternative routes as a result of this, I quote.: "…New cycling routes should also be considered as an alternative to particularly steep and narrow sections of the National Cycle Route 822. For example, the dangerous route along Bro Allt-Y-Graig could be improved or relocated to follow the walking route around the playing field and the Afon Aeron…" (https://lucmaps.co.uk/CeredigionGBIDigitalReport/aberaeron/). This statement contradicts the Council's own comments on its previous engagement exercise and this proposal.There is and continues to be an increasing amount of school pupils using this public footpath. It is not just the pupils of Ffordd Y Goitre that use this path. As a result of the bridleway improvement to Aberarth/Llanddewi, other pupils also walk along this route. There are many circumstances when pupils need to get to and from school during school hours (for example, medical appointments, sixth formers and generally being late for whatever reason). What happens to these pupils' access during the times when the gates are locked? Will they be forced to walk along an alternative route putting them at greater risk to safety and are the gates to remain closed after school hours during after-school clubs and activities?Not only is the alternative route increasing the danger to pedestrians, it is a much lengthier one. For example, I am aware of a resident who has a serious health condition and wishes to use the path to access the swimming pool as part of therapy. At present the distance from point B on the map to the swimming pool is roughly a 100 metre walk. If the gate is closed at this point the alternative is about 700 meters, a considerable diversion along a dangerous route. The Council states that there will be "…no effect on persons wishing to access the swimming pool… and arrangements will be in place to ensure that this is unaffected". Could you please explain what these arrangements are?I have previously made Freedom of Information Requests to both the Council and the School Governors. After reading the 'instances' that have occurred I do not believe that they warrant the extreme measure of closing this public footpath, and even by doing so would make little difference to these 'instances'. If the school is of such an extreme opinion, then perhaps it should consider isolating itself from this public right of way.To summarise, I believe that if Ceredigion County Council were to close this public right of way, the risk of danger or injury to pedestrians would surely be increased and not mitigated and possibly be a case of negligence by the Council. I urge you to withdraw your proposal and to keep this safe and convenient public right of way permanently open. Ceredigion County Council should encourage its use as a means of promoting its safe and active travel vision and as part of achieving a healthy lifestyle strategy. | * **Access to documents**

The letter made it clear that full details may be inspected on the Council website and at Aberaeron Library during office hours. On receipt of a query relating to this matter, a direct link to the relevant page was shared in a timely manner.* **Alternative route**

Whilst this is not shown on the map it is clearly described in the notice. It is obvious from the responses received, that the effect of the order and alternative route has been clearly understood.Whist the current route along the Footpath is shorter, the additional length of the alternative route only equates to an approximate 90 seconds of additional travel time for those on foot.The alternative route is not traffic free throughout; however the roads which it follows are access roads only and the level of vehicular traffic is known to be very low. The Councils traffic section have confirmed that no incidents or accidents have been received in respect to the roads in question. In addition, there is a proposal to reduce the speed limits on roads in the area to 20mph, to further safeguard pedestrians etc.The alternative route also provides access for all, whereas the current route has a significant pinch point (narrow kissing gate) which results in it only being accessible for some.The comment in the Ceredigion Green and Blue Infrastructure Strategy, (prepared by external consultants) is in relation to cycle provision rather than for pedestrians, who will be the subject of the proposed order. * **Use of s1 of the 1984 Act & consideration of s122 of the Act**

The discretion of the Council in making a traffic regulation order is very wide and flexible and it is for it to determine the way in which traffic ought to be restricted for the appropriate statutory purposes in its local areaThe Council considers that it is appropriate to make a traffic regulation order in relation to the Footpath to restrict public use of it during school hours on school days in order to preserve or improve the amenities of the School and the School site more generally (including its safety and security and the safety and security of staff and pupils of the School).The requirements of s.122 cannot be intended to prevent the statutory powers from being used for the specific purposes identified in s.1(1). The Council has to decide whether it is expedient to make a traffic regulation order for a specific purpose under s.1(1) (in this case, s.1(1)(f)) and to consider the objectives in s.122(1) and the qualifications to the achievement of those objectives under s.122(2), to decide on balance whether a traffic regulation order should be made.s122(2)(a)A factor to consider is maintaining access to any premises on or adjacent to the Footpath, such as the School and the swimming pool (and the Council cannot restrict pedestrian access to them or any other premises if they are accessible only from the Footpath (see s.3(1) Road Traffic Regulation Act 1984)) but also maintaining access to other premises that are accessible using the Footpath, even if that is not the only means of access. Practical management of the site will be considered alongside the formal order; Aberaeron Swimming Pool and Leisure Centre are both situated within the school site. Staff from the School and officers from within the relevant services will be working closely with the managers/trustees of both establishments in order to retain as frictionless a passage as possible for those wishing to access these amenities moving forward. s122(2)(b)This section provides that one of the factors to be considered in making a decision in relation to a traffic regulation order is “the effect on the amenities of any locality affectedThe effect on the amenities of any locality affected is best measured by considering the current route alignment through the school and the provision of any alternative means of access whilst the order is operational. In conclusion the availability of alternative access results in there being a limited or negligible effect on the amenities of the locality affected by the order as proposed.Those that are inconvenienced by the proposed order will still have the opportunity of using the current route outside of the period when the order is operational.s122(2)(d)Ceredigion’s Rights of Way Improvement Plan (ROWIP) has been considered with regards to the proposal. There is nothing in the ROWIP that would prohibit the pursuit of the order. The proposal restricts access during certain periods only and a suitable alternative access is available whilst the order is operational. The Equalities Act 2010 has been considered and an Integrated Impact Assessment (IIA) completed and updated throughout the process to date. This assessment shows that there is a negligible impact on those identified with protected characteristics as identified under the act.* **Access to the swimming pool**

Practical arrangement for those accessing the pool are yet to be finalised. It’s worth noting; however that the hours that the order is operational is largely outside the hours where the pool is open for public swimming.* **Access for pupils during school hours**

It will be a practical matter for the school to consider access for pupils needing to access the path when the order is operational. * **Sufficiency of evidence**

The evidence put forward in support of the application is considered sufficient in justifying the continuation of the process towards making a permanent traffic regulation order under s.1(1)(f) Road Traffic Regulation Act 1984. This evidence has been shared with objectors previously under a Freedom of Information request. |
| I am writing to object to the above proposal, namely the intention to close a section of the public footpath which goes through Aberaeron Comprehensive School during school hours. I live on Goetre Road and, along with my family, use the path regularly, entering from the top end near the property Llais yr Aeron. My daughter, along with other school pupils, use it twice a day to go to and from school.I feel that the closure of any public footpath or right of way should be objected to. Public footpaths are vitally important to the health and wellbeing of those living near the footpath, local people, and walkers/ramblers. It encourages people to walk and exercise and reduces the need to use the car. They provide people with a safe and secure means of getting around during their day to day lives, and should remain open as a matter of principle. Health and wellbeing, the importance of protecting and promoting the green infrastructure, and promoting environmentally friendly means of transport and reducing the reliance on cars are all important aims noted in Ceredigion’s recent policies and strategies, including Ceredigion’s Local Wellbeing Plan and Objectives, Green Infrastructure Assessment and Net-Zero Strategy. This proposal is contrary to all these aims.The section of footpath in question is used by several school pupils, including my daughter. It is the safest and most direct route to school. But what happens if pupils need to leave school during the day? The alternative route mentioned in the consultation down Goetre Road and along South Road is longer, and much more dangerous. Goetre Road is a narrow, single track road with no footway or pavement, where pedestrians have to stop and lean into the hedge to let vehicles pass by. This narrow road is used by delivery drivers, lorries and cars, and South Road is a very busy main road. Ceredigion County Council has stated that Bro Allt y Graig is a dangerous road for walkers and cyclists, and this proposal will only mean more people are in danger. In my experience, the majority of people who use this footpath do so sensibly, realising that it crosses the school ground, and avoid using the path during school hours anyway. It’s just a matter of common sense. A much more sensible proposal would be for the Council to erect a notice near the proposed closure points asking the public to respect the fact that the path crosses the school, and avoid using it during school hours.There is no mention in the consultation of any serious incidents which may have occurred to explain the background to this proposal. Covid was the last excuse Ceredigion Council used to try to close the path, a proposal which I objected to as it was completely unnecessary and inconsistent with use of other local footpaths. I feel that this partial closure may be the first step to further proposals for full closure of the path and that the ‘alternative’ route is unsafe and puts pedestrians at risk of more danger. Historically, there has always been a footpath here open for the public’s convenience and enjoyment, and any changes to this footpath should be objected to. The Council should be making every effort to retain and protect footpaths for reasons of health and wellbeing, safety, the environment, local needs, local heritage and enjoyment. I strongly object to the proposal and believe it should be withdrawn immediately. | * **Access for pupils**

There is no intention to restrict access to pupils using the route to access the school outside of when the orders is operational and indeed the Council is fully supportive and encouraging of promoting active travel options for children and adults alike. It will be a practical matter for the school to consider access for pupils needing to access the path when the order is operational. * **Alternative route**

See above  |
| I refer to your notice that the consultation period is to end on 01 December 2022.I refer to the previous email I sent to Cyngor Sir Ceredigion dated 03 October 2019 (copy attached) setting out my objections at the time.Those objections still stand in respect of this consultation and they are added to by the following points:You have not presented any evidence as to the risk associated with keeping the public footpath open. Whilst I fully understand the Council cannot give details of specific incidents, the Council is put to proof as to the type of incident which have occurred, the frequency and the approximate dates of the said incidents so that a clear picture can be given which should then explain the risks. I am aware that a freedom of information request has been made and I understand you have redacted the date of incidents. Whilst I understand that you cannot give specific dates, you should be able to clarify the number of incidents in a year and when roughly they occurred so that a balance can be given to substantiate your view that there are safeguarding and security issuesIn addition, I would refer to my further email of 23 October 2019 and the same points still apply. Goitre Road is unsuitable, since it is a single-track roadway which is not maintained properly by the Council in any event. It is insufficiently lit and the traffic on this road has increased over the years thereby jeopardising the safety of the members of the public who use it when they could be using the right of way which is the subject of this consultationThe use of Section 122 of the Road Traffic Regulation Act 1984 is flawed, since references to local amenities are to be considered only if they relate to heavy commercial vehicles and not pedestrian traffic. We are talking about a public footpath here and not any vehicular access.Excerpts from 3rd Oct 2019 Aberaeron Comprehensive School is not an enclosed site. There is a swimming pool right in the middle of the school which is accessed by members of the public during the morning, during the day (when the school is open) and in the evening. The proposal is ill-thought out and is of no practical use. The Council is put to strict proof as to their comment "to ensure the safety and wellbeing of the children and staff attending the school". There is a prescriptive easement over the footpath and even if you proceeded to close the public footpath you would still have to allow access to myself and other individuals who live close to the school and use the footpath. Cyngor Sir Ceredigion cannot use the grounds stated to proceed with the Traffic Regulation Order and the proposal is, therefore, fundamentally flawed for the following reasons:the Authority are seeking to make the order under Section 1(1)(f) of the Road Traffic Act 1984 ("the Act") which gives the Authority the power to make an order "for preserving or improving amenities of the area through which the road runs". The Authority is claiming that the school is an amenity and that restricting pedestrian traffic will preserve the amenity. I question whether a school can be defined as an amenity. Leaving that aside, Section 122 of the Act sets out the exercise of functions by local authorities. The effect on local amenities should be considered only if they relate to heavy commercial vehicles and not pedestrian traffic."The expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians)" is not achieved by prohibiting pedestrian use of certain roads purely on amenity grounds. The Authority's stance of seeking to restrict the right of way actually reduces the amenity of the surrounding properties who use the footpath on a regular basis. The use of the footpath does not harm the safety and wellbeing of the children and staff attending the school.Excerpts from 23rd Oct 2019 There are a number of young children who live up Goitre Road who would benefit from the use of the public footpath.  If your proposal to close the public footpath was to take effect then this would prevent those children using the current access at the top of the school meaning that they would then have to walk on an unlit lane and would then be at risk from vehicular traffic going up and down that lane whereas, of course, the existing public right of way is on foot only and is therefore safe for children.Your proposed diversion would take any children down the unlit lane through the bus park which, by its very nature, would increase safety risks for the children using it, whereas the existing right of way has no vehicle traffic on it at allYour proposed route goes through land which contains a large number of springs and is extremely wet.  The cost of diversion would far outweigh the benefits.Further representation received 23rd December I write further to my email dated 30 November 2022.I would like to add the following objection:Footpath 43/15 Aberaeron School is used by pedestrians to access Aberaeron School, Aberaeron Swimming Pool and Sir Geraint Evans Leisure Centre.Section 3(1)(a) of the Road Traffic Regulation Act 1984 provides: “A traffic regulation order shall **not**be made with respect to any road which would have the effect… **of preventing at any time access for pedestrians to any premises situation on or adjacent to the road, or to any other premise accessible for pedestrians…**”•      The proposed Traffic Regulation Order would prevent pedestrians from accessing/egressing Aberaeron School, Aberaeron Swimming Pool and Sir Geraint Evans Leisure Centre.•        Accordingly, should the Council exercise its powers under sections 1, 2 and 4 of the Road Traffic Regulation Act 1984 and make the Traffic Regulation Order:* It would breach section 3(1)(a) of that Act; and
* The exercise of its statutory power under that Act will be ultra vires.
 | * **Sufficiency of evidence**

See above * **Alternative route**

See above * **122 of the Road Traffic Regulation Act 1984 – specific reference to heavy goods vehicles**

The suggestion that the Council should consider the effect on local amenities only if they relate to heavy commercial vehicles and not pedestrian traffic is incorrect. S.122(2)(b) Road Traffic Regulation Act 1984, provides very clearly that one of the factors to be considered in making a decision in relation to a traffic regulation order is “the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run”. Clearly, if it is relevant in an appropriate case, the effect of heavy goods vehicles using a road on the amenities of a locality is expressly to be considered. It is not a relevant factor here because the Footpath is not used by such traffic. * **Access for pupils**

See above * **Access to the swimming pool**

See above * **Prescriptive right of access**

Based on the evidence brought forward the Council disagrees that there is a prescriptive right of way over the footpath. The evidence presented relates to use of the way on foot which is entirely consistent with the exercise of the public right to use the way as a footpath and not establishing a private right of way by prescription.* **Use of s1 of the 1984 Act specifically relating to the issue of “amenity”**

The School is not the “amenity” or an “amenity” in this sense. The School is the area, or at least a part of the area, through which the Footpath runs. The Council is entitled to exercise its power if it considers that it would be expedient to do so to preserve or improve the amenities of the wider area through which the Footpath runs, including the School. Amenity or amenities in this sense has a wide meaning and can extend to considering the use, convenience, comfort, safety, security, enjoyment, opportunity, agreeableness and benefit of the area concerned. The Council considers (balancing all relevant factors), that restricting access by the general public to use of the Footpath through the School at certain times is appropriate in order to preserve or improve the safety, security, use and enjoyment of those using the area through which the Footpath runs, including the School, and that this falls within s.1(1)(f) Road Traffic Regulation Act 1984* **Reference to diversion and condition of the land (wet)**

This is believed to be in reference to a previous proposal to divert the path under s119 of the Highways Act and is not relevant to the current proposal * **Reference to s3(1)(a)**

Access to the premises identified is available by means of a private right of access; thus, the public footpath is **not** the only means of access.  |
| Dear Sir, I have just received notification from you of plans to close the footpath through Aberaeron school during school hours.These plans are accompanied by a map and I find the map to be incorrect and misleading for the following reason.On the map, private property is coloured yellow whilst public property is coloured grey.Footpath 43/16 is from Ffordd Y Goitre to it's junction with footpath 43/15 and throughout that length the land is information portrayed by your map would lead other people to believe my private drive is actually a public road, which it is not.I have owned Tyn Y Coed for many many years and have always maintained both footpaths to an impeccable standard and have no argument as to their being footpaths but they are on private property. | * **Map incorrect**

The purpose of the order map in this instance is to identify the length of path being proposed for course – it does not purport to show private/public land.The Council uses OS master map as a base layer for order plans under license from the Ordnance Survey (OS). Any error in these maps or question around colouration/styles should be directed to the Ordnance Survey who are responsible for their production.  |
| Thank you for the letter and enclosures detailing the Council's plans to close the footpath during school hours. Please could you confirm that the gate at the top of the school grounds leading to the unaffected right of way will be open and accessible prior to and after school hours each day for access to the school premises by pupils. My son attends Aberaeron School and from our home at Brynheulog it is the most sensible route for him to take each day. There has been a significant increase in road traffic on Goetre Road and many of the vehicles travel at an unnecessary and unacceptable speed. As a concerned resident I would be most grateful if the Council would please consider setting a speed limit to our lane. Indeed, there have been two occasions over the last 18 months when my son has been walking along Goetre Road and has had narrow misses with speeding vehicles. The first time, he was run off the road by a builder's van and the second time when I was with him, he was clipped by a delivery van. It is a huge concern and I am sure you can appreciate I am very reluctant for him to use the road access when the public footpath is far safer. I look forward to hearing from you. | * **Access for pupils**

See above * **Speed limit**

There are proposals to reduce the limit to 20mph in the area |
| Thank you for the information.What are the arrangements for public access to the swimming pool? | See above  |
| Please find enclosed a letter relating to your request. Based on the information given and the address provided, Wales & West Utilities have no apparatus in the area of your enquiry.  | N/A  |