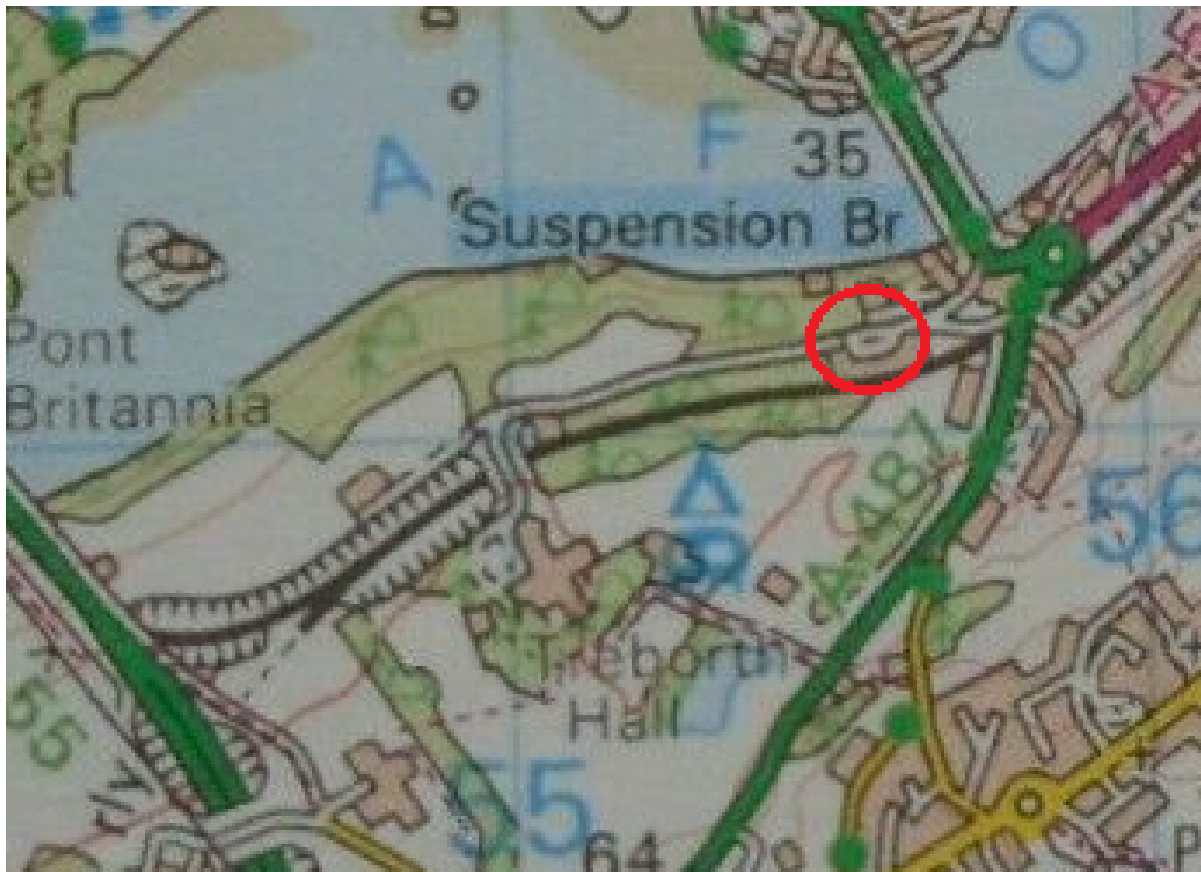




18.5 Ordnance Map 1_50k 115 Snowdon 2001

Further evidence of maps showing that the road into the Treborth Botanic garden was not open for all.

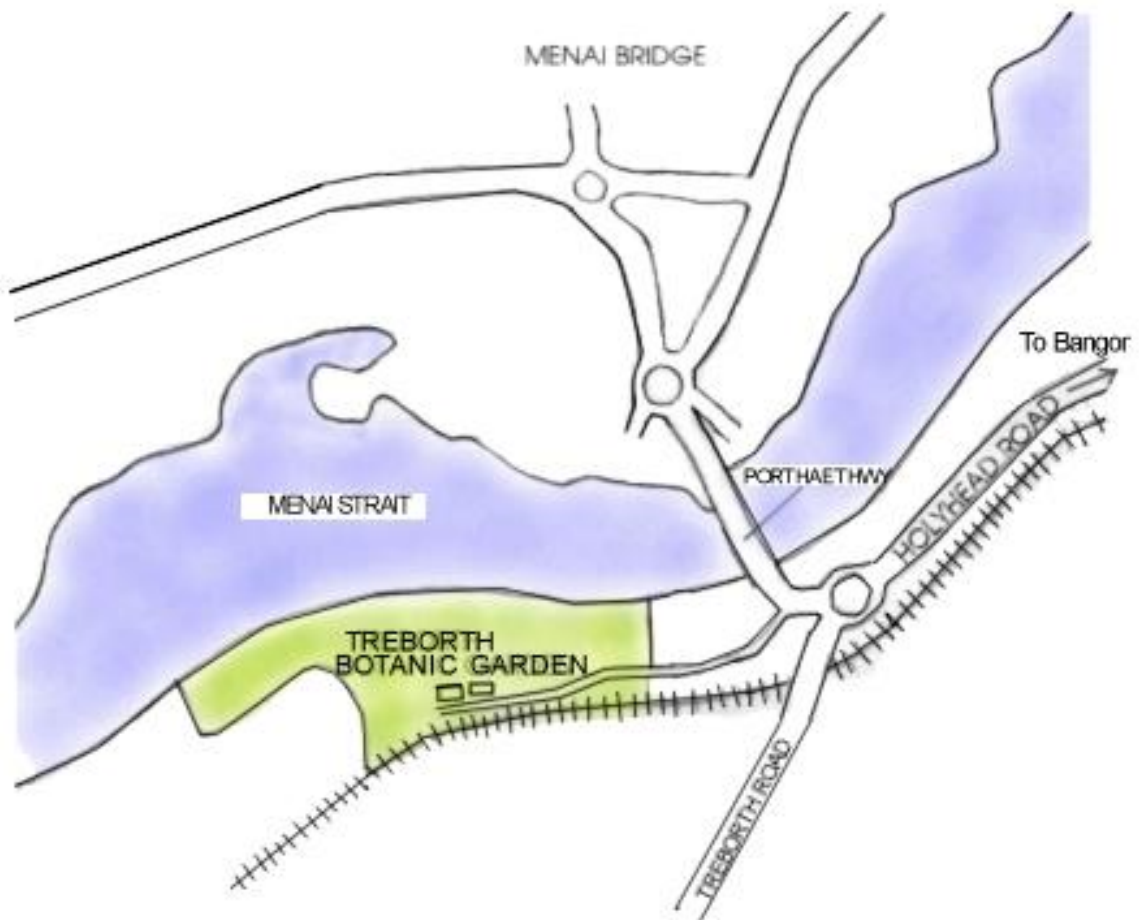


18.6 Ordnance Survey map from roughly 2000

Image 18.6 shows that there is a clear block on the route in the form of the Black vertical line. This suggests that gates were in operation during this time and that the route was not public property.

The fact that the Application Routes do not appear on any of the historic documentary sources consulted suggests that there has never been free and open access during all times to these parts of Treborrh. The presence of barriers/gates along the route according to these maps further suggest that this is the case.

This is a clear challenge to the application.



18.7 Taken from Treborth Botanic Garden Website 2000's

Visiting Instructions - Map shows clear way of how to get to gardens for open days. The map clearly shows that access is from one direction only. Nobody should have been accessing the gardens through the school as there was no permission granted.

trelliswork of iron. The bridge was opened in 1821 by the passage across of the Holyhead mail. A sensible vibration is produced by the passage of a vehicle, or even of a man and horse, but the chains, offering little resistance, have withstood, without shifting, the severest storms, though the roadway was considerably shattered by one which occurred in January 1839, since which it has been thoroughly repaired and strengthened. The weight which the chains support is calculated at 489 tons, and that which they are capable of supporting at 2016 tons, leaving an available power of 1520 tons to resist any unusual strain. The total cost of the construction of the bridge was 120,000*l.* It is difficult with the eye to estimate its colossal proportions, and it is only after observing attentively the vehicles and human figures

each chain, 1714 ft., or nearly one-third of a mile; weight of each, 121 tons; total weight of ironwork, 2186 tons.*

It is a walk of 1½ m. by the Holyhead road from the Chain bridge to the Tubular Bridge, the direct distance is about ¼ a mile.

* * * On the Caernarvon side of the Strait, the direct road between the two bridges lies through the grounds of Treborth, which being strictly closed, visitors must make the circuit to Treborth Station.

From the stat. at Menai Bridge the rly. descends by a gentle incline to the banks of the Menai, which it crosses by means of the

Britannia Tubular Bridge, the most peculiar and wonderful bridge in the world. The difficulties, which appeared almost insurmountable, of furnishing any means by which a

18.8 Further historical evidence shows that Treborth Hall has never been open to the public.

19. Existing Footpath No 12

There is photographic evidence going back to 2009/2011 to suggest that Pentir Footpath number 12 was not used. A number of users claim to have regularly used this footpath to link on to the alleged footpath through Treborth Hall.

Given the photographs from these years, it can be argued that no person could regularly walk that route as Gwynedd council did not maintain this footpath. Any person that claims they were regularly walking Pentir Footpath 12 during this time period is not being truthful.



19.1 Taken from a historic google street view (2009)

Letter of support for PROW past Treborth Hall

13.9.21

Dear all

I fully support the long-standing usage of the path which goes past Treborth Hall. It has been used for a number of years for the health and well-being of the people. To be able to continue to enjoy the wooded areas and these extended paths is very important.

The upper part of path also leads out to the main road which makes it ideal as an extended circular walk. This part will be open to debate – should it go against the right of way, past the hall? It will be made redundant as a public path, which seems to be the sole use to the hall!

This path should continue to be available to be enjoyed by all. I hope this application is successful.

Your faithfully

Councillor Enid Parry (Deiniol Ward)
Bangor City Council

19.2 Enid Parry Letter of Support

It is not entirely clear what this councillor is suggesting although I have arrived at the following conclusion: The local councillor suggests that the existing footpath number 12 is not used in its current state. If the DMMO application is unsuccessful then the existing Footpath number 12 will be redundant.

A number of users claim to have regularly used this existing footpath during these years which, given the evidence of the local councillor and historic images taken from Google, is clearly not true as this footpath was completely overgrown and not walkable.

20. Force has been consistently used throughout



20.1 Street view from 2009 of "No entry to Athletics track" sign being tampered with

This is evidence to show that in 2009, local people were trying to force their way through the school property to try and use it as a shortcut despite clear signs. Any member of the public using this route to get to the athletics track was not doing so "as of right" as they were clearly trespassing by ignoring all signs that were in place.



20.2 Sign vandalised by a youth (caught on cctv)



20.3 Signs on all gates have been vandalised



20.4 Signs on all gates have been vandalised



20.5 Signs on all gates have been vandalised



20.6 . The CCTV sign had been damaged. The Private sign and "Please shut the gate" sign have been damaged on over 40 occasions.

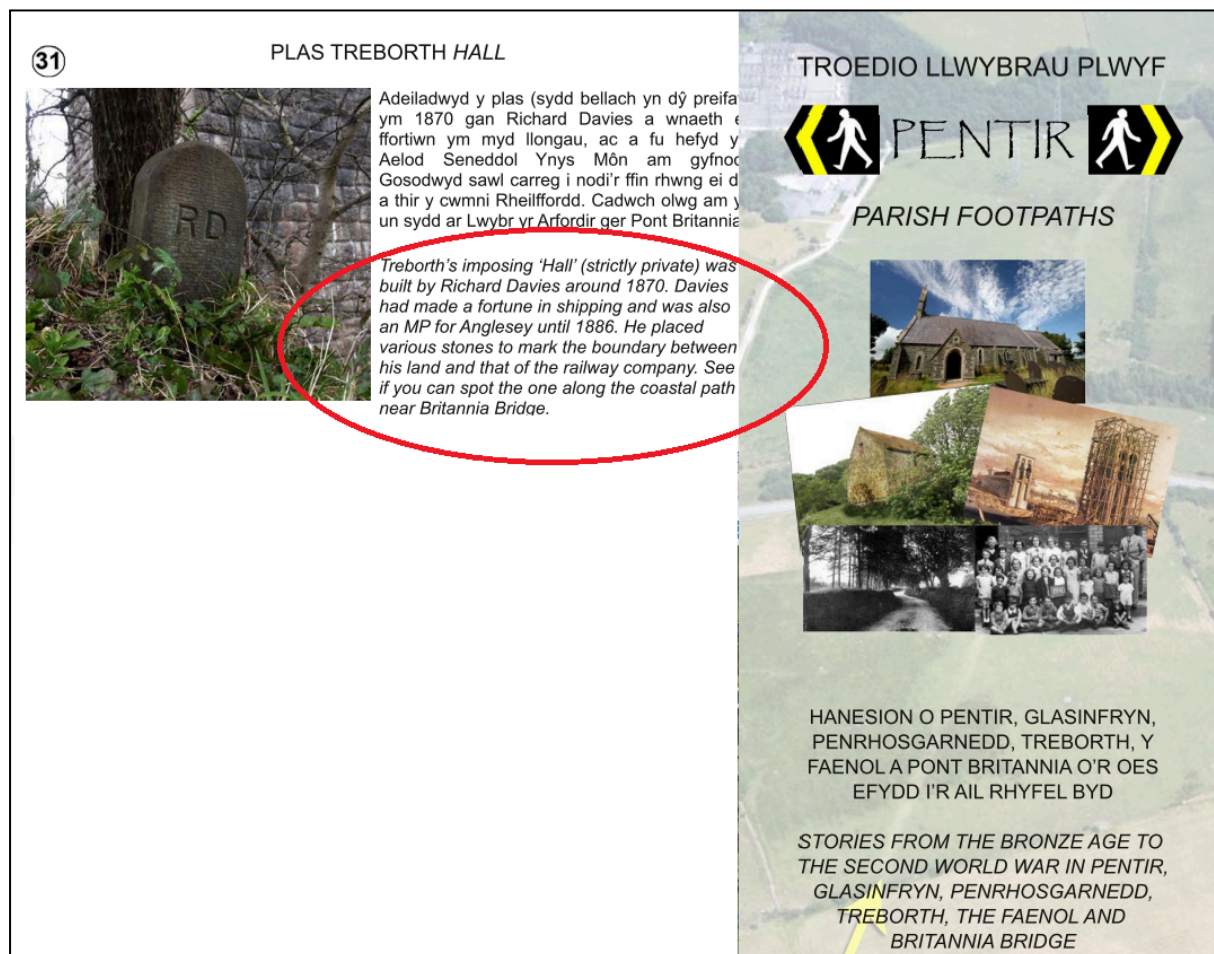
Since 2014, signs have been constantly damaged and ripped off my parents and my own property. There have been other occasions caught on video of signs being damaged and ripped off by youths. Police action has been taken against individuals that have been caught on camera.

21. Historic Evidence from Pentir Community council

It is clear from this document that the area known and Treborth Hall has always been known to be “strictly private”.

This document was produced on behalf of Pentir community council who ironically are the ones who made an application for a historic right of way through Treborth Hall.

This document has been taken directly from the Pentir community Council website and is still available today: <https://cyngorpentir.cymru/downloads/taflen-wybodaeth-a-llwybrau-pentir.pdf>



21.1 This Parish Footpaths Map for Pentir was produced in 2017 and shows all local knowledge of footpaths in the area.

A history night took place for all of the local people to discuss. This was another opportunity for members of the public to challenge the owners of Treborth Hall. Nobody did as at the time, everybody accepted that this was private property as sold by Gwynedd Council.

These documents/maps were posted all over Penrhosgarnedd and Treborth displaying the fact that Treborth Hall has always been “strictly private”.

There is clear documented evidence that owners of Treborth hall had private signs,gates and were challenging members of the public in 2017. Local members should have at the very least questioned their rights at this time.



21.2 Facebook post showing the local history night that was held concerning Treborth



21.3 Facebook posts showing these maps were placed all over the local area



21.4 Maps were displayed all over Penrhosgarnedd and Treborth



21.5 Menna Baines (Pentir community councillor) used social media to try and drum up support for the footpath application

All of Menna Baines facebook posts have now been deleted off social media. If the application has been truthful and legitimate then why is this the case?

It should also be noted that Pentir Community Council have ignored Freedom of Information requests in relation to their application and have not operated in a legal manner.



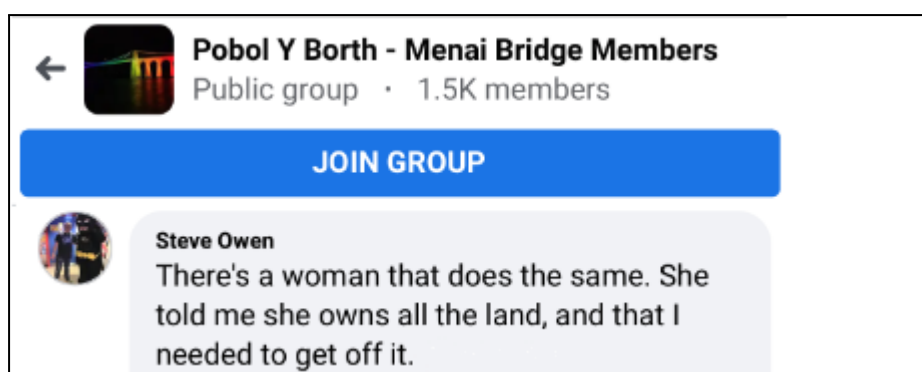
21.6 During a campaign on social media in 2021 - Jeremy Bastock suggests a route connecting to the Wales Coastal Path

This again is based on desirability, rather than the route being based on historical usage. It appears that Pentir Council thought this was a good idea as it is the basis of their DMMO application.

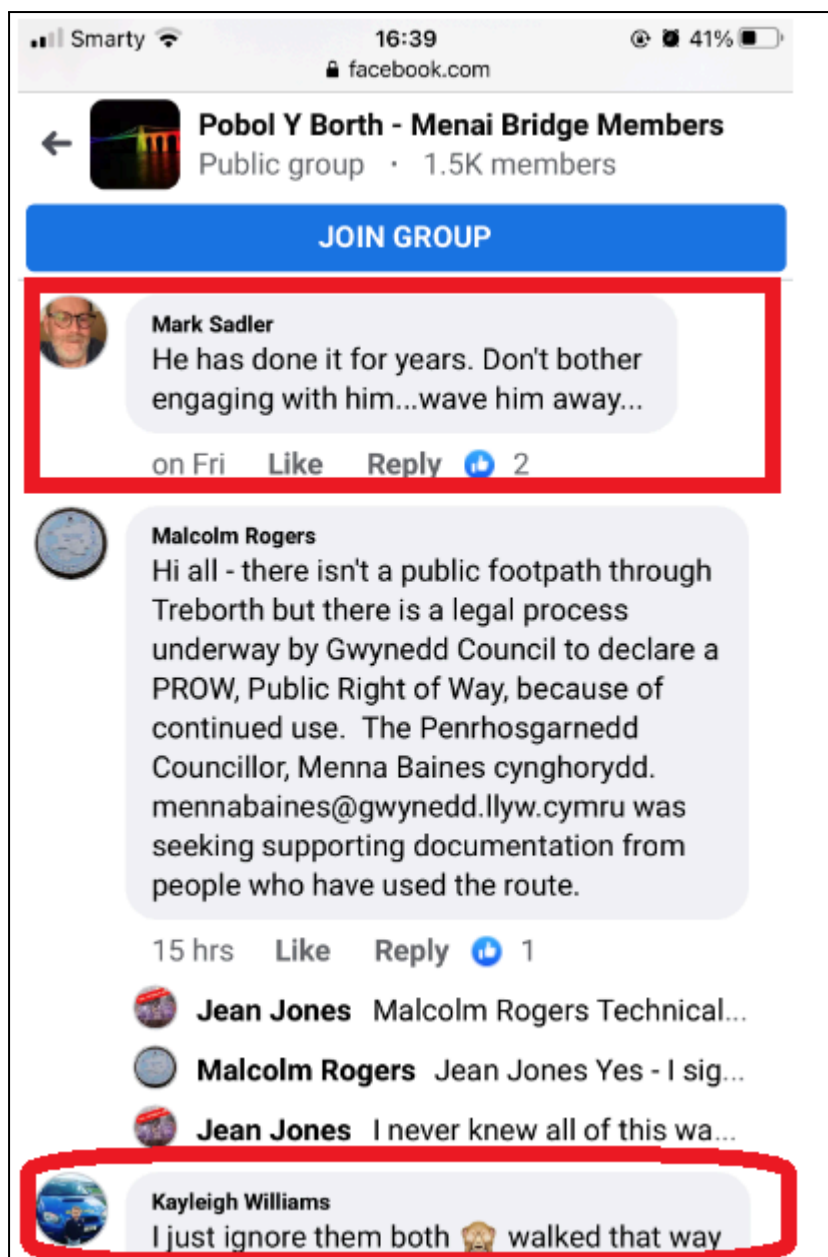
22. Further Challenges from owners of Treborth Hall

3. I first moved to 3 Ty Ysgol, Coed Menai around August/September 2014. This is the time when the Margetson family also bought Treborth Hall, formerly known as Treborth school. As soon as they had moved in, I realised that they were immediately stopping passers-by on the footpath and anyone who tried visiting the neighbourhood. Unfortunately, Mr

22.1 Extract From Thomas Gribben's Written Evidence Statement shows that ALL members of the public have been challenged since 2014.



22.2 Taken from a Facebook post in roughly 2021



22.3 Comments on Facebook by Mark Sadler in 2021 shows that the owners of Treborth Hall have been challenging people “for years”. The attitude of both Mark Sadler and Kayleigh Williams are indicative of the average user that has filled out a user evidence form.

If you have ever been refused access or challenged whilst using the claimed P.R.O.W., give details: HOWE BEEN TOLD TWICE AT THE AREA OF THE
SCHOOL SITE THAT IT IS PRIVATE PROPERTY.
THE MAN WAS RUDE ON BOTH OCCASIONS. I HAVE MOST IGNORED HIM.

22.4 I.T. Williams (86) - Challenged by owners on “both occasions”. This shows that any regular walker has been challenged on more than one occasion. Therefore, it cannot be possible for any regular walker to say they have never been challenged.

If you have ever been refused access or challenged whilst using the claimed P.R.O.W., give details:

SEVERAL TIMES I HAVE BEEN APPROACHED BY UNKNOWN PERSON(S) AND TOLD I COULD NOT ACCESS MY NORMAL ROUTE

22.5 R.J. Philips (149) - Challenged several times. This shows that any regular walker has been challenged multiple times. Therefore, it cannot be possible for any regular walker to say they have never been challenged.

In the summer (I believe) 2019 I was walking past the Hall and was approached by a man, who said he was now the owner of Treborth Hall, and he challenged me for being on his private land. I apologised and told him that I was not aware that I was on private, and that I believed I was on a public footpath.

22.6 David Roberts - (167) Challenged by the owner of Treborth Hall in 2019

If you have ever been refused access or challenged whilst using the claimed P.R.O.W., give details:

APPROACHED BY THE OWNER / OCCUPIER OF THE OLD TREBORTH SCHOOL WHO STATES THE ROAD HAS NOW BEEN PURCHASED BY THE TREBORTH RESIDENTS AND IS A PRIVATE NO THROUGH ROAD.

22.7 Ceri Roberts (33) was clearly challenged by the owners of Treborth Hall

4. I have ceased walking this path for some months by now due to the behaviour of the new owners of Ysgol Treborth. I would prefer to walk away from the school rather than having any trouble when walking past. I must have started to walk less since the new owners have brought the place.

22.8 Richard Williams - Stopped walking since new owners.

If you have ever been refused access or challenged whilst using the claimed P.R.O.W., give details:

Once and a gate locked to prevent me hitting its length on another occasion

22.9 W.M. Evans(115) - gate was locked which prevented him cycling through. This is a clear interruption along the route.



THE HISTORY OF BANGOR -Cataloguing our Memories

David Roberts · 8 March 2015 · 🌐

...

Anyone know whats happening with this building? Been empty for years.



Alex Masterson Davies

it's going to be a international house of Bunga Bunga

8 y Like Share



Richard Parry

What a beautiful old building hope it's not going to be demolished

8 y Like Share



Gwyn Williams

Whoever he is who bought it has put up no trespassing signs everywhere so you can't walk to the botanical gardens or the running track and pitches via Treborth entrance, Don't know how he can do this as I thought it was a public footpath ???

8 y Like Share



Annie Mehew

22.10 A group Facebook post from 8th March 2015 on the History of Bangor facebook page

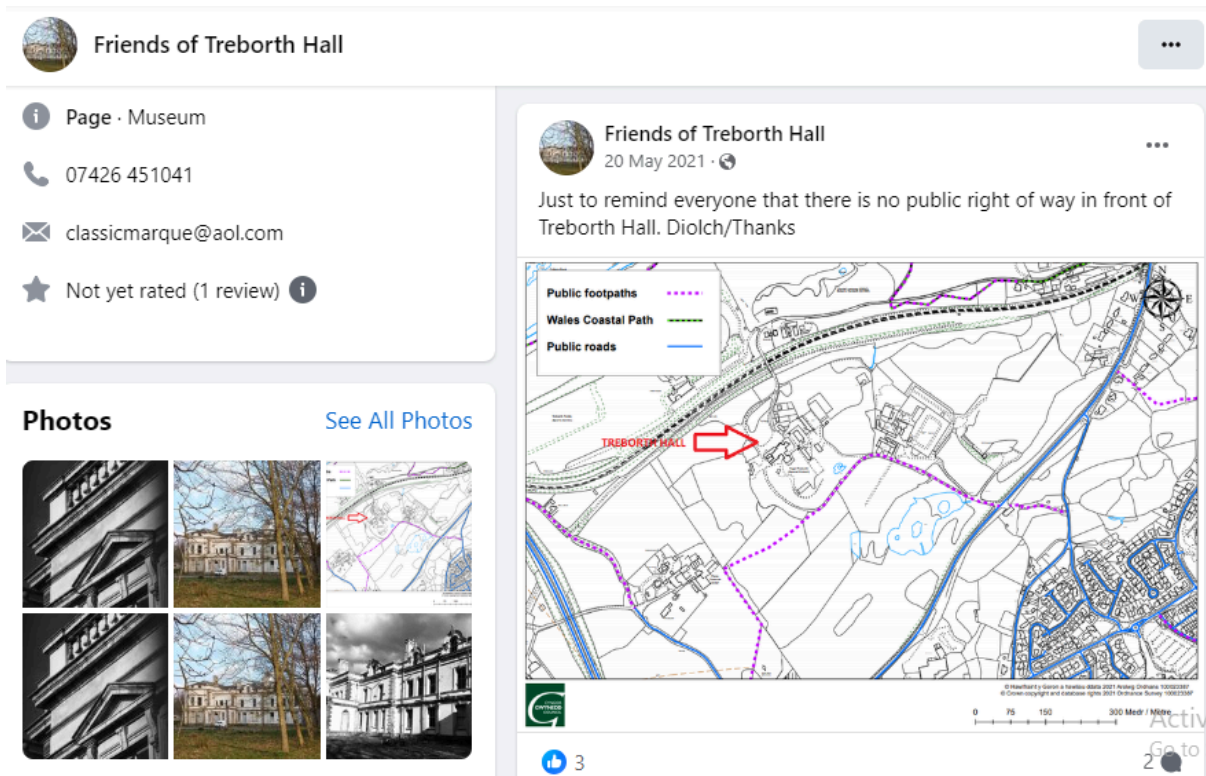
Clearly shows that “No Trespassing” signs had been placed “everywhere”. It clearly shows that the owners of Treborth Hall did not want people using their property as a shortcut.

This was posted on a popular public forum that a large percentage of residents of Bangor use.

9. I was walking the footpath with my friend, and we were stopped by a man, I assumed to be the new owner of Neuadd Treborth, as he came out of the big house. He said we had no right to be there and that we were trespassing. This happened around 2015-2016. He's also tried to stop me from parking there before. No one has tried to stop me before for using the footpath and no one had ever tried to stop me from parking there either. It was normal

22.11 M.G. Goulding was challenged in 2015/16 as discussed in her written statement

It is clearly not possible for users to claim they have never been challenged or have never seen any signs unless they have been walking through the property in secrecy.



22.12 The Friends of Treborth Hall posted a reminder to the public via social media on 20th May 2021 after a social media campaign was launched



22.13 Not the public at large - members of the public do not know where Treborth Hall even is

23. Other Notable Challenges Made

Very few people have mentioned that I have challenged people outside of my house (5 Ty Ysgol). Since I have lived here I have challenged many people. Very few users have mentioned me or my house.

I have video footage of the following:

- Jean Jones - Trespassing and then saying she works for Gwynedd Council and that there will be a footpath through here.
- Rhodri Owen and Sara Tudor Owen - During the racism incident while they were trespassing
- Margaret Jones (User evidence form submitted) - Another racist incident where the police were called
- Youths ripping signs off the gate
- Males causing damage to gate and signs
- Numerous other challenges

I believe we have the Right to Privacy in our homes.



23.1 An example of the behaviour of members of the public taking photographs of Treborth Hall without permission.

24. Conclusion of DMMO application

There are two tests that must be applied, as set out in the case of *R v Secretary of State for the Environment ex parte Mrs Norton and Mr Bagshaw* (1994) 68 P&CR 402.

Test A: Does a right of way subsist on the balance of probabilities?

Test B: Is it reasonable to allege that a public right of way subsists? If there is a conflict of credible evidence but no incontrovertible evidence that a right of way cannot be reasonably alleged to subsist, then a public right of way has been reasonably alleged.

In conclusion, it is my firm opinion that there is not credible evidence to demonstrate a reasonable allegation that the specific line of the claimed route has both been subject to uninterrupted public use for 20 years, or for any period to demonstrate dedication at common law, and that such use has been as of right throughout any such period. There is incontrovertible evidence to suggest that both current and previous owners of Treborth Hall had no intention to dedicate this land to the public. It is also my opinion that the essential characteristics of a route have not been satisfied in this application.

Therefore, It is my view that the appropriate course would be for the Council to determine not to make the DMMO sought.