

CEX7393  
19 FEB 2015

16/02/2015

John Robinson  
Chief Executive  
Gedling Borough Council  
The Civic Centre  
Arnot Hill Park  
Arnold  
Nottingham  
NG5 6LU

Dear John Robinson

Please find enclosed a petition for debate signed by 163 local residents in support of the preservation of an important historic access path within the Porchester Garden Estate, Mapperley. The survival of this path which connects the bottom of Emmanuel Road with Kenrick Road and forms part of Ethel Avenue, is under threat due to the actions of the developer of 21 Ethel Avenue who is attempting to block public access to part of the track whilst at the same time trying to take over another section of the track as a private driveway to his proposed development. A covenant exists on the land concerned giving access to any Freeholder of the Porchester Garden Estate and local residents have enjoyed free access for over 130 years until the developer blocked the path in July 2013. He has repeatedly refused to reopen the path and Gedling Borough Council, Nottingham County Council and the police have been unable to persuade or force him to do so.

An application has been made on behalf of the majority of local residents to have the whole of Ethel Avenue (from Lees Road to Kenrick Road) adopted by Nottingham County Council; the existing road as a restricted byway and the path section as a public bridleway. Officers at the county council have indicated that there is a wealth of historical and testimonial evidence in support of this however the application is likely to take some time to be processed.

The petition attached calls for your council to do all in your power to ensure continued public access to this historic path, as established by deeds, covenants and easements relating to the land along with more than 130 years of continuous and well documented public use. Given that our petition "*relates to a local issue affecting no more than two wards within the Council's area*" (GEDLING BOROUGH COUNCIL - PETITIONS POLICY) we understand that with over 140 signatures it will be "*be reported to and debated at a meeting of the Council*".

At present this path figures in two different but related matters before the council that I would like to draw your attention to:

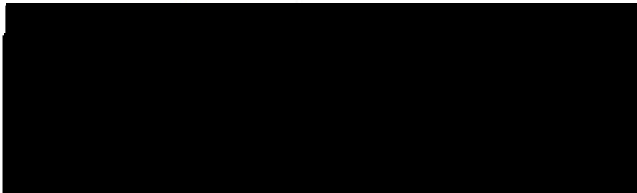
1. The proposal to sell a strip of land currently owned by Gedling Borough Council which borders 19a Kenrick Road and forms half the width of the footpath section of Ethel Avenue between Allen Avenue and Kenrick Road (ref D248 – contact Katie Cafferkey). The sale has been requested by the developer of 21 Ethel Avenue who has expressed a wish to buy the path so he can develop it as an access drive to one of the three properties he proposes to build on his land.
2. The Planning Application relating to 21 Ethel Avenue (Ref. No: 2014/0856) currently pending consideration which details the creation of an private driveway along the path between the uppermost of the three proposed properties and Kenrick Road and the blocking of the remainder of the path thus denying public access between Ethel Avenue and Kenrick Road.

I am submitting this petition on behalf of The Friends of Ethel Avenue who are a group of concerned local residents from Ethel and Emmanuel Avenue along with Lees, Kenrick and Hallam Road with the following aims:

- To share any information relating to the proposed development at 21 Ethel Avenue and the footpath section of Ethel Avenue between residents.
- To support those residents most directly affected by the proposed development and the actions of the developer.
- To ensure the footpath section of Ethel Avenue (between Emmanuel Avenue and Allen Avenue) is reopened and public access, as established by various local covenants and easements along with over 130 years of continued documented public use, is preserved.
- To ensure the 'grassy path' section of Ethel Avenue (between Allen Avenue and Kenrick Road) is preserved as a public footpath/track and to oppose any plans to turn this into track into a private drive for vehicular access to 21 Ethel Avenue as currently proposed.
- To ensure any development of the plot at 21 Ethel Avenue is appropriate to the size, location and the access roads present.
- To ensure the preservation of the two surviving trees on the Edge of Ethel Avenue adjoining 21 Ethel Avenue currently protected by Tree Preservation Orders (TPOs).
- To ensure the replacement of the protected tree at 21 Ethel Avenue which was removed despite of the existence of a TPO.
- To ensure the protection of residents property and access roads and related services and to minimize the impact of construction traffic if and when development begins.
- To challenge any unreasonable, intimidating or anti-social behavior by the developer.

We respectfully request that you consider the views of the majority of local residents, as represented by this petition, when making any decisions regarding the future of this important and historic public path.

Yours Sincerely

A large black rectangular redaction box covering the signature of Andrew Robinson.

Andrew Robinson

On behalf of The Friends of Ethel Avenue

A black rectangular redaction box covering the name of the representative of The Friends of Ethel Avenue.