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SUBMISSION TO THE EASTERN CAPE REGIONAL COMMITTEE : 12 SEP 1991

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**OLD BAY ROAD, GRAHAMSTOWN**

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In a letter dated 7 August 1978 Dr Frank Bradlow drew the attention of the NMC to the old Bay Road. He pointed out that the road had been depicted in paintings by Thomas Bowler. He continued:

It seems to me that there is a case for declaring the whole first section of the Bay Road, leading from Grahamstown, as a national monument. If this is not possible, at least the old wall and the stones on one side ... should be declared a national monument. I would like the council to give this consideration.

The matter was submitted to Dr Rennie for his comments. He submitted a lengthy reply (see agenda pages 41 - 44). Dr Rennie's report was considered at a meeting of the Cape Regional Committee held on 15/16 March 1979. It was agreed to recommend the declaration of a section of the road with an area to be defined by Dr Rennie. This recommendation was endorsed at a meeting of the Executive Committee held on 27/28 April 1979.

Given the difficulty of defining the area to be declared, it was decided to have the area surveyed and the Surveyor-General was requested to have a survey undertaken. The completed diagram was submitted to the NMC in September 1982.

In October 1982 Rhodes University and the Grahamstown Municipality as the owners of the affected properties were approached for consent to declaration. The Municipality provided its consent before the end of the month but the University replied as follows:

Your proposal raises a number of questions and I should be grateful for your comments on the following:

1. In your second sentence you give as the reasons for your proposal as the need to preserve the road for posterity. Could you please let me know whether any representative of your Council has inspected this road? I ask this question because I am advised that the road is deteriorating and along much of its alignment it has been destroyed by a sewer which serves the local prison.

2. The explanatory note which accompanied your letter states, under item (f):

"It is understood that an owner will be responsible for the maintenance of a proclaimed property as he was before proclamation".

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It has not been the intention of the university to continue to maintain this road: it is no longer needed as an access road and arrangements are about to be made to close it and, as soon as possible, to close all roads in that area in order to prevent considerable unauthorised pedestrian traffic in the vicinity.

3. The road is of no financial use to the university; its aesthetic value, in its present state is doubtful and the university would not willingly accept the burden of maintaining it.

The matter was submitted to the Regional Representative who had discussions with the University. It was clear from the discussions that the cost of maintenance of the road was the major stumbling block. The Regional Representative wrote to the Municipality and enquired as to whether they would be prepared to maintain the section of road in question. The Municipality advised that it did not see its way clear to maintain the road.

The following letter from the Municipality, dated 15 August 1984, was subsequently addressed to the NMC:

At a recent meeting between my Council and Rhodes University it was agreed to recommend that representations should be made to your Council to cancel your plans for proclaiming the Old Bay Road as a monument.

The Regional Representative replied as follows on 31 August 1984:

The National Monuments Council will have to receive a formal approach from the owners of the ground in question before consideration can be given to the rescinding of its decision.

The Municipality sent the following letter, dated 8 August 1985, to the NMC:

I refer to previous correspondence in the above regard and attach a copy of a letter received from the Director, Business Affairs Division of Rhodes University, the contents of which are self-explanatory.

In response to this letter, my Council at its meeting held on 1 August 1985 endorsed the recommendation from the University, namely not to proceed with an application to have a section of the Old Bay Road declared a National Monument.

The letter from Rhodes University forms pages 45 & 46 of this agenda.

Nothing further transpired until July 1988 when Dr Bradlow enquired as to what progress had been made in the matter. He was advised of the University's objections.

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Following correspondence between Dr Bradlow and the University, in which the objections to declaration were once again set out, the Assistant Regional Representative suggested that a plaque be erected at the site. When approached, the University agreed to the suggestion.

The following wording for the plaque was approved by the Wordings Committee in June 1989:

THIS SECTION OF ROAD FORMED PART OF THE "OLD BAY ROAD", BUILT IN 1840 BY THE CENTRAL ROADS BOARD ESTABLISHED BY THE COLONIAL SECRETARY, JOHN MONTAGU (1843 - 1853). IT SERVED AS THE MAIN ENTRANCE TO GRAHAMSTOWN FOR ABOUT A CENTURY.

At the meeting of the Eastern Cape Regional Committee held on 21 June 1989 it was:

AGREED that a cairn and plaque should be erected in a suitable position, noting the historical significance of this old road, subject to the approval of Rhodes University, owners of the property.

In a letter dated 28 June 1989 Dr Bradlow suggested that the following words be added:

This viewpoint was depicted by the artist Thomas Bowler (1812-1869) in two of his most famous prints.

The matter was submitted to the Wordings Committee and the following is the relevant portion of the minutes of its meeting on 16 January 1990:

The contents of a letter dated 28 June 1989 from Mr Frank R Bradlow was NOTED and the Committee AGREED to refer the draft wording back to Mr McConnachie to verify the correctness of the date when the road was built.

Nothing further transpired in this matter until the Regional Representative received a telephone call from the University's attorneys enquiring as to what had transpired regarding the NMC's intention to recommend declaration of the old Bay Road. The enquiry was made because the Surveyor-General had blocked the transfer of a portion of the land in question from the Grahamstown Municipality to Rhodes University.

The matter was discussed with the Regional Chairman and it was agreed that the attorneys be informed that the NMC does not intend proceeding with the declaration. It was also agreed that the matter would be submitted to the following meeting of the Regional Committee for confirmation.

The road is now completely closed to general public access, this being part of Rhodes University's aim of improving security in that portion of its campus.

RECOMMENDATION

1. That the decision to erect a plaque at the site be rescinded; and
2. that a recommendation be made to Council that the decision to recommend declaration of the old Bay Road be rescinded.

COMPILED BY: Ashley Lillie  
Regional Representative : Eastern Cape

6 September 1991