



**Minutes – Meeting 45
Arreton Community Centre
Thursday 11 September 2014**

Present at the meeting:

Forum Members:

Mark Earp (Chairman)
David Farnham
Cllr Paul Fuller
Tricia Merrifield
Stephen Darch
Alec Lawson

Others:

Penny Edwards
David Howarth
Helen Wood
John Hague
Phil Spencer
Robin Atwood
Mark Buckett
Peter Fellows
Tony Ridd
PCSO Cat Quinn – County Watch Officer
Sgt Mark Lyth – County watch Officer
Darrel Clarke - IWC Public Rights of Way Section (PROW)

Forum Secretary:

Jennine Gardiner -Rights of Way Assistant, IWC Public Rights of Way Section (PROW)

1. Apologies:

Apologies were received from:

John Heather (Vice-Chairman)
Will Ainslie - LSTF Project Manager, Isle of Wight Council
Cllr John Medland
John Gurney-Champion
Heidi Marshall
Chris Dodd
Fiona Hanna - AONB Officer Isle of Wight Council

2. Minutes of previous meeting and matters arising from previous meeting:

The minutes were approved as a true record of the last meeting.

Matters arising from last minutes:

Section 7 – Mark to write to MP involved with the DEFRA IW Coastal Path Consultation – done letter issued (and decision has now been made).

Section 8 – Jennine to advertise for new members – done and three new members soon to be appointed.

Section 9 – Mark to invite someone from Island Line & Community Rail Partnership to the next meeting – done (Phil Spencer & Robin Atwood were in attendance).

3. **Any Declarations of Interest:** None

4. **County Watch Policing Team**

Sgt Mark Lyth & PCSO Cat Quinn attended the meeting. Sgt Lyth informed the forum that the main aims of County Watch are to improve and install confidence within the rural community by being the point of contact in respect of rural matters.

Mark Earp had already sent a list of questions to the Police which members / guests had previously raised. Sgt Lyth answered these:

- ***Palm oil on beaches:*** *A number of beaches were closed to walkers and riders as a result of Palm oil. It was sad to see notices up during the Islands prestigious walking festival. Is there no way of tracing the culprits and reprimanding them at the very least or is it done in international waters where there is little jurisdiction?* Sgt Lyth advised that in respect of this case of palm oil (which can make dogs very sick if they eat it) that it would have been discharged in international waters probably about 2 weeks before it hit our shores and there was no way of tracing the culprit.
- ***Who should be the first port of call for items found on the beach such as distress flares, large fishing nets and chemical containers - you, coastguard or fire brigade, or is it simply a question of common sense?*** It is a case of common sense on who to contact about items washed ashore (all agencies do work together so reports will be passed onto the correct team or organisation). As a general rule anything like distress flares, ammunition & chemical containers should be reported to the Police and items such as large fishing nets should be reported to IW Council's Environmental Health Team.
- ***Would the police support a suggested green cycle path/route for the short distance across St Thomas' Square Newport? This would hopefully assist confused tourists and locals alike. What are the rules of cycling in the square?*** This would be a common sense Policing approach as cycling on footpaths next to the highway or pedestrian areas such as this are prohibited, so it would be quite right for a Police Officer to request that a cyclist dismounts. However, until formal proposals regarding a cross square cycle route are presented to the Police for consultation they could not comment (plans would need to come from the local authority if a green carpet style cycle route was to be created).
- ***Driving by juveniles on private land, where a public right of way exists. There have been a number of incidents where juveniles without licenses & insurance and without parental supervision have been driving all manner of vehicles on public rights of way that cross over private land?*** If the driver has the authority of the landowner they can drive (at any age or speed) on private land. However, if they drive on a public right of way then in addition to the landowner's authority they also need the same documentation for normal road driving. The Police would only get involved at the request of the landowner if there was regular non compliant driving leading to criminal damage and / or antisocial behaviour (otherwise it would be for the landowner to take a civil action against the culprits). The Police have power under S59 of the Police Reform Act to issue a S59 notice to the driver and the vehicle if driving antisocially and this notice lasts 12 months. If caught again within the 12 month period then the vehicle can be seized and if the associated fees are not paid it will be crushed.
- ***Is there a maximum speed limit on byways and other public rights of way?*** The National Speed Limit applies.
- ***Body Cams : Farmers , cyclists , horse riders and even runners are now using body cams on the Isle of Wight. Can the footage be used to prosecute an individual: for instance a persistent trespasser, a fly tipper or an aggressive individual?*** Private individuals can wear body cams

without regulation and captured images can be presented to the Police in order to see if this can be used in a prosecution if the image supports the allegation. However, it is not the Police who make the decision on what can or can't be used and this will be for the Crown Prosecution Service to determine.

A question was asked about the lawfulness of the letting off of **Chinese Lanterns**. Sgt Lyth advised there is no legislation to prohibit this and any cases for damage or loss would be a private prosecution. He is not aware of any successful cases or any upcoming changes in the law.

Sgt Lyth and the Countrywatch Policing Team are based at Yarmouth Harbour Office; this is not open to the general public so an appointment needs to be prearranged for a face to face meeting. To contact them please call 101 and ask for the Isle of Wight Countrywatch Police Team (leave a message on their answer phone for a call back) or email countrywatch@hampshire.pnn.police.uk

Website: <http://www.hampshire.police.uk/internet/advice-and-information/rural-crime/country-watch>

5. Peter Fellows – East Wight Landscape Partnership

Peter briefly explained the overview and objectives of the East Wight Landscape Partnership which will be funded from a grant of just over £1.5 million from the Heritage Lottery Fund with contributions from other partners. The project will run for 5 years and is currently in the development stage pending the full grant.

Different aspects of this project aim to make the east wight a better place to live, work and visit and involves working with many different sectors and partners in order to develop knowledge and skills such as conservation, community participation and training so the landscape is looked after and managed for the future.

In respect of open access and rights of way some of the projects will improve and increase access and interpretation helping navigation around the existing rights of way network and countryside. Hopefully this will lead to increased access to the land abutting watercourses which surround the east wight.

The project is not looking to create new rights of way - however there is an opportunity at Brading Station which might link two existing rights of way which are severed by the railway station land via a cattle creep (disused tunnel under the railway line) as access rights through this is now within the ownership of the RSPB. There is an opportunity, if different partners can come together, to provide level access to Brading Marshes from Brading Station which is the RSPB's gateway to the marshes.

Websites for more information:

East Wight Landscape Partnership:
<http://wightaonb.org.uk/down-to-the-coast/>

RSPB:
<https://www.rspb.org.uk/discoverandenjoynature/seenature/reserves/guide/b/bradingmarshes/about.aspx>

6. Phil Spencer – Island Line & Robin Attwood – Brading Town Council

At the invitation of the LAF, Phil and Robin attended the meeting.

Phil advised that Island Line is operated by South West Trains (SWT) and there are 7 level crossings over their electric rail, 6 of which are used by the public. SWT lease the Island's electric rail from Network Rail and SWT operate Island Line as a not for profit company. As there is no profit generated there are no plans by SWT to undertake a programme of major changes such as shutting the existing level crossings and any closures SWT undertake would solely be safety related.

Closing all level crossings regardless would be highly contentious as some of these provide level access across the line which mobility impaired persons need or prefer. An example was at Cliff Path, Lake where there is a road bridge only about 100m away from the level crossing but despite this the residents of a neighbouring elderly persons home prefer to cross on the flat and do not use the bridge.

Most near misses are at the Cliff Path level crossing (train drivers report these). Phil confirmed all safety measures are in place at all SWT level crossings Islandwide and they are all routinely inspected. Members of the public have in the past contacted Island Line regarding defects such as gates and these are immediately inspected. Therefore, at the present time there are no plans to close any public level crossings on the Island Line network.

Phil was aware of the cattle creep tunnel at Brading Station and the possibilities this might present to improve access.

Robin advised Brading Station is billed as the gateway to the RSPB Brading Marshes reserve and it would be desirable to have public access from Brading station directly into the marshes (currently it is a walk via the local housing estate to get from the station to the marshes). The Brading Neighbourhood Plan had identified a need for direct access from this point. The RSPB has recently purchased 60 acres of land behind the station to extend the reserve and as part of this it seems they have obtained a right of access under the tunnel (cattle creep).

If all partners work together there is an opportunity to create a link to improve and extend access, possibly allowing a route to be created from Yar Bridge almost to St Helens. Phil confirmed SWT maintains the structure of the tunnel as the rail passes over the top. There is a meeting on Monday 15 September 2014 on site arranged by East Wight Landscape Partnership to see if this scheme can be moved forward.

Robin will arrange to open the Station for the next LAF meeting on the 4th December 2014 so members and guests can visit the site.

7. LSTF update

Will Ainslie (LSTF Project Manager) had provided information on schemes which Darrel updated members with:

Shanklin – Wroxall route

Surface dressing has now been laid and project is largely complete. Some "share the path" signs still need to be installed – should be done in next couple of months.

Newport - Ryde route: Quarr area

Surfacing work to bridleway R3 through Quarr Abbey land has now been completed. Same surface dressing as Shanklin – Wroxall. Positive feedback received. Reports of increased usage. Some comments relating to cyclists going too fast. Requests for "share the path" signs from Quarr Abbey. This is something that is being looked into. If necessary will install the same "share the path" signs as are planned for Shanklin – Wroxall

Newport - Ryde route: Quarr Rd, Binstead

Work due to begin on a short 150m stretch of Quarr Rd immediately to the east of the Quarr Abbey eastern gate. Bridleway R3 follows the road, which is private and used for access to houses. New

surface will be tarmac as the rest of the road is already either tarmac or concrete. This section of the route along Quarr Rd was chosen for works because it was deemed to be the section most in need of a new surface.

Newport - Ryde route: Ladies Walk

Negotiations continuing.

Newport - Ryde route: Mews Lane area

Negotiations continuing.

Newport - Ryde route: Lakeside Hotel/Wootton Bridge

Agreement has been reached with landowner (verbally) for the IWC to acquire necessary land. The necessary legal work is currently being undertaken.

Newport - Ryde route: Ashlake Copse Lane

Negotiations continuing.

Newport- Island Harbour shared use pathway

Island Roads have commenced work on this route. Due for completion at the end of November.

Island Harbour – Folly

Positive discussions about access with landowners have been held.

Issues raised at the meeting by members regarding LSTF schemes:

Shanklin to Wroxall

Can carriage drivers use part of this route i.e Winstone Farm to Shanklin?

Action Tricia & Penny to site visit and prepare an update for next meeting to advise if route is wide enough to accommodate carriages and other users (and how carriage drivers can gain access at the Winstone Farm end)

Concerns that motor vehicles might gain access at the wide Wroxall end - can a barrier be erected? Discussion followed about different means of preventing motor vehicle access but allowing mobility scooters and pushchairs, no decision was made on an action.

Island Harbour to Folly

Tricia advised horse owners in the East Cowes / Whippingham area had no designated bridleways and local riders were in need of circular off road routes (it is the desire for circular off road rides in all areas of the island). Tricia wondered if the Island Harbour to Folly scheme proceeds then there may be an opportunity to engage with landowners and this may allow the creation of permissive bridleway routes for predominantly local horse owners.

Action Tricia to look into permissive bridleway routes East Cowes / Whippingham

8. The IW Bridleway Group Update

Tricia referred to the phenomenal overgrowth this season and how Rights of Way have dealt with clearance, and the formation of the volunteer Bridleways Group working party who have cleared overhead and side growth from many strategic points along bridleways across the island.

New Permissive Bridleway at Mottistone - the National Trust have now formally allowed permissive bridleway access across part of Public Footpath BS85 allowing riding and cycling from Strawberry Lane to link up with the once dead-end bridleway BS88. The way is signed on the ground and the bridleways' group raised enough donations to be able to install their first bridleway gate.

9. IWC Public Rights of Way update

A question had been raised regarding the vegetation clearance "policy" for the islands' public rights of way. Darrel advised currently there is a summer cutting programme which runs between May

and August and the paths identified on the strimming maps get two cuts within this contract period - this is in relation to up growth from the surface. As this strimming is contracted it takes the majority of the revenue budget and there is no scope for it to be increased. In addition we do ad hoc strimming in house so if a site has been missed or is especially impassable we can cut this ourselves. From August (after the bird nesting season has finished) we start a programme of hedge cutting - this will tackle the side and overhead growth.

Long Term Closures:

CS16/17 Gurnard (coastal path) this is still a problem, Cllr Fuller is to speak with the IW Ramblers to see if they can offer him impartial advice to try and help solve the problems.

BB10 Bembridge (coastal path) positive news with the landowner and hopefully this can proceed soon.

10. DEFRA Consultation – IW Coastal Path

The decision has been made and the Island is now included within the Coastal Access Scheme. A decision has also been made to accelerate the delivery of the “whole” of the England Coastal path and spreading room by 2020.

11. Membership

Three new members have applied and we are in the process of getting the applications formalised.

12. Chairman’s Update

No update due to lack of meeting time.

13. Any Other Business

Steve asked if the byway closed to motor vehicle signs at Dungewood Lane & Pitplace Lane are correct.

Action Jennine will check

14. Next meeting:

The next meeting will be at 4pm on Thursday 4th December 2014 at Brading Station
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End of Meeting