



Minutes – Meeting 53
St Johns Church Hall, Drake Road, Newport
Thursday 1 September 2016

Present at the meeting:

Forum Members:

Mark Earp - Chairman
Cllr Paul Fuller
Tricia Merrifield
Alec Lawson
Stephen Darch
Cllr John Hobart
John Gurney-Champion
John Heather
Penny Edwards
Des Jackman
Belinda Walters
Emma Douglass
Richard Grogan
Iain Maclennan
Mike Slater

Others:

Darrel Clarke - IWC Public Rights of Way Manager (PROW)
David Howarth – IW Ramblers
Jamie Marsh – Hants & IW Wildlife Trust
Simon Perry – On the Wight
Tony Tutton – National Trust
John Taylor – Natural England
Tom Lord – Natural England
James Osman – NFU
Peter Fellows – East Wight Landscape Partnership

Forum Secretary:

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

1. Apologies:

Apologies were received from:

Cllr John Medland
Glenn Sharman
Helena Hewston – Shalfleet Parish Council
Mark Roberts – Island Roads
Joel Bateman – AONB
David Farnham – ex LAF member

2. Minutes of previous meeting

Page 2 under heading **Slipways** it has transpired the name “Island Lights” was incorrect and to clarify the correct location it needs to be altered to read “**the public slipway adjacent to the former Harbour Lights**”

Other than this correction the previous minutes have been accepted.

Declarations of Interest

None

Update of actions from last meeting:

Forestry Commission – Toll Ride fee justification: following the last meeting the LAF wrote to FC regarding the TROTT (Toll Ride) tariff but was advised there is no scope to change this.

Gunville Greenway – Lee Matthews is making enquiries regarding who within the Council will lead on this and whether funding is available to progress it, including project management. Hopefully a more detailed update can be provided for the next meeting.

Action – Provide an update for next Meeting

Ramblers Coastal Path Survey – Ramblers are currently independently surveying the coast, obtaining landowner permission (where over private land) - this is separate to any proceedings by Natural England. David Howarth advised that the Ramblers are happy to share their findings with the LAF once the survey is completed and he clarified that this survey is on behalf of the Ramblers and not on behalf of the Isle of Wight Council (IWC), as there may have been a misunderstanding with some landowners when approached for access that this was required by the IWC rather than from a voluntary group.

Rights of Way Staffing Levels Letter – the LAF wrote to the IWC Chief Executive regarding concerns for insufficient staffing levels for the Rights of Way team and assistance being required for Natural England when the roll out of the scheme starts on the Island. A reply had been received (attached to these minutes) and it seems positive that Natural England will have a mechanism in place to release money for extra staffing. This needs to be resolved but the potential is there.

Woolverton Fair – LAF will be there on Sunday

After meeting update Mark Earp has reported the stall went well with over 600+ members of the public viewing the stand and the LAF had active engagement with over 300+ people. Over 120 feedback forms have been completed which Mark will work through and put them in order for discussion or passing on for action (if appropriate)

Ticks; European Red Ticks – The gentleman who was bitten (laying in some long grass at the time of the bite) is now recovering at home, but he was in hospital for over a month. Be cautious when going through long vegetation and wear appropriate clothing.

Woodhouse Copse – Mark Larter had emailed to say he had asked the landowner to remove a small quantity of 4 wheel drive associated debris and camping material from the SSSI, and to allow the vegetation to naturally regenerate unimpeded. He had been reassured that no further 4 wheel drive activity beyond 'normal' forestry operations would be permitted. He has not visited since his discussion with the landowner, but has said he will before end of September. Mark Larter has reminded the LAF that the Isle of Wight Council is the 'Access Authority' in this case. Mark Earp had contacted the Forestry Commission about Woodhouse Copse, but the FC said now it was sold they had no involvement. The FC had suggested that the LAF could write to the Minister who the FC report to (**Theresa Coffey, Parliamentary Under-Secretary for Department for Environment, Food & Rural Affairs**) to use the problems at Woodhouse Copse as an example of the repercussions of selling FC land. Hopefully, this will make the Minister aware of the problems that disposal of public land can cause to the public and local authorities and to make her cautious of devolving any more of FC landholdings. Enforcement by the Local Authority may be needed if this cannot be resolved amicably with the landowner.

Action – LAF to write to Minister

Roud Lane – Island Roads had met on site with Penny and given her assurances remedial works to reinstate the road would be carried out. However, the actual repair which was undertaken fell far short of what was indicated.

Action – LAF to raise concerns again with Island Roads

3. National Trust – Tony Tutton

Tony updated the group with a perspective on National Trust (NT) access. The NT was formed in 1893 by 3 people; the most influential in respect public access to the outdoors was Octavia Hill who was concerned for the health and welfare of the poor involved in industry. She recognised the importance of access to open space and was keen that the new organisation purchased land for this purpose; the first place was 4 acres of land at Dinas Oleu in Wales.

In the present day on the Isle of Wight the NT has 275 hectares of land which is over 5000 acres. The most recent acquisition into the NT IW landholding is Dunsbury Farm. Most of the IW NT land is open to the public for access or is already classified as “open access land”. Most of the NT’s tenant farmers are very relaxed about the public using their land even if it is off limits as it is being actively farmed. The NT via their tenant farmers, rangers and army of volunteers look after, manage, maintain and carry out conservation works and engage with the public. The NT actively works in partnership with organisations such as the ramblers and employs contractors to undertake improvement schemes.

Some examples of recent joint schemes are improvements to Gaggen Path and the Duver old seawall, both at St Helens where the NT has worked in partnership with the ramblers, contractors and East Wight Landscape Partnership. They are ever mindful of resources but know there is a massive need to improve access; sometimes both the old way of doing things and new modern ideas can improve accessibility.

NT prefers a light touch approach when it comes to signage and no longer puts up big information boards. The NT office continues to receive a lot of calls regarding matters such as mud and cattle. However, grazing cattle is very important in maintaining the natural landscape as they stop areas of land scrubbing over. The IW NT cattle are a well behaved bunch but people are very frightened of them. Dogs cause problems if they are not controlled by their owners.

Coastal erosion is never-ending and will always be ongoing but this does at times impact the public’s ability to easily access the beach. Compton is an example where the loss of the beach access steps at the beginning of 2016 caused lots of public concern. The NT owns the land at Compton but the actual steps (forming part of the Public Right of Way) is not their responsibility. But when there is a problem everyone needs to work together and manage the public’s expectations, as beach access is important.

The Military Road is another controversial location as this will be, at some point in the future, compromised by coastal erosion. This is a reason why the NT purchased Dunsbury Farm. NT wants to safeguard public coastal access (not necessary highway access) in this area. At Dunsbury, the current arable and sheep farming will decrease over a period of time and wildlife and nature conservation will increase in its place.

The forthcoming National Coastal Path is important to the NT and it realises there are challenges to overcome when allowing increased public access but at the same time safeguarding habitats i.e. butterflies at Sud Moor and the ongoing movement of fence lines as erosion occurs. Around Newtown Estuary there is a lot of road walking as the path bypasses the nature reserve, and it is recognised that more people visiting will inevitably cause damage to the natural environment. However, at the same time people need to be able to enjoy the landscapes which enrich their lives and these visits provide memories of special places which will last forever.

4. National Coastal Path Isle of Wight - John Taylor & Tom Lord – Natural England

John Taylor is the lead advisor for the IW section of the England Coastal Path; he acknowledged the Isle of Wight already has a very good coastal path and in a lot of places they would not be looking to change the route. However, the 2009 Marine & Coastal Act allows for a route to be created as close to the coast as reasonably possible, allowing it to be moved as erosion or development occurs. Under this act it offers protection to certain types of land so the path would not pass through it (unless an agreement with the landowner could be negotiated) and it gives a lowest level of public liability to landowners where it does. The new route is not just a linear line

but has spreading room so this means the public do not need to keep on the track but can explore the coastal margin and get down to the shore where reasonably safe and possible to do so.

John was impressed with the Island's Walking Festivals and that overall the Isle of Wight has had a good Festival culture supported by the current ferry / transport operators. He also felt the Island has a fantastic network of inland paths which, coupled together with the Coastal Path creates a wonderful choice of circular walks.

In winter 2016 Natural England will start Stage 0 which will involve some pre meetings about the Island and then from April 2017 John's team will start to have meetings with stakeholders.

Natural England recognise that some landowners will be very cautious of the trail running over their land because of the new idea of the ability for roll back which is a process of repositioning the path in the future due to ongoing coastal erosion and therefore safeguarding the route for future generations. However, he hopes that these fears will be unfounded once landowners realise that there will be aspects which they can benefit from.

NE will work appropriately, sensitively and in consultation with all affected landowners and occupiers and will only realign or create a new path if needed, (as the existing permissive, unofficial or public rights of way we already have might be perfectly acceptable). It will create one of the longest and most varied walking trails and will include routes through environmentally sensitive land. The Island will benefit from all year round tourism and increased branded marketing. For landowners there is the lowest possible level of public liability and the opportunity to diversify their operations to benefit from the increased passing footfall.

There are some types of land which will not be included in the route; this is called excepted land, for example homes, gardens, railways, MoD land. Designated park land maybe a troublesome area. NE can enter into an agreement with a landowner to create an access strip with no spreading room to get the path through excepted land sites. NE will be trying to future proof the trail and will try and foresee what might happen for approximately 20 years ahead. They will base this on the information provided by the landowners and taking into account predicted erosion forecasts, all of this will be contained within the report submitted to the Secretary of State (SoS) once NE have made their route recommendations. This report has to take many aspects into consideration such as the proximity of the trail to the sea, views of the sea, safety and convenience, continuity of the trail, landowner's privacy, operational need of the land, income and change of use.

There is an option of taking the trail down and back up river mouths to the nearest bridge e.g. with the River Medina it could go down to Newport between Cowes and East Cowes, this would allow for a longer trail and bring trade to Newport. NE is interested in what the LAF think of this.

It is likely there will be a NE Coastal Access case officer and a NE Site Responsible officer. The IW timeline is still to be developed but it seems likely in April 2017 someone will come over to the Island for about 2 days a week. It is anticipated Stage 3 will be about autumn 2018 which is finalising the proposals. The final stage of construction and opening will be December 2019.

Once constructed the majority of funding for ongoing maintenance will come from the NE National Trails team. Once established, should there be change of use of the land which would alter its status to excepted land, then the National Trails Team would deal with landowners to work with them to reroute the path.

It is a walking trail and will be constructed to National Trail Footpath standard, but if there are specific areas which are known to be needed for a shared use route there is no reason why joint working between NE and the local authority and with agreement and dedication of the landowner, that a scheme cannot be created to secure higher user rights in some locations.

Full details of the NE Scheme can be found online, the link below goes straight to the whole scheme book. Chapter 3 gives more details on the consultation process and Chapter 5 focuses on landowner interests, both of these should be particularly useful chapters.

<http://publications.naturalengland.org.uk/publication/5327964912746496>

5. Format Of Future LAF Meetings – Mark Earp

As there is currently many topics to deal with it was considered that the LAF does not currently have time to properly listen, understand and debate the matters raised. Therefore, members had to decide how meetings are to run in the future.

- It was felt that 2 hours is the maximum time for a meeting in order to keep concentration on track.
- Members did not want to split into sub-groups as all members need to be involved to have the best balanced discussion on subjects.
- If members have any special or extra subjects it would like to focus on then it will call a special meeting as and when needed.

Outcome: it was decided that one extra 2 hour meeting per year should be held.

6. Chairman's Report – Mark Earp

Helen Wood has resigned from the LAF; Helen was the lead campaigner for the closed route between Colwell to Totland after the seawall had collapsed and helped to get this reinstated.

Forestry Commission (FC) in the future the FC may be split into two separate parts - a revenue generating arm and a leisure orientated arm. The FC will be revising their forestry design plans and this should be kept on the LAF radar. The FC has just purchased Brighstone Forest and they are the new freeholders.

Island Line is included in the South West trains franchise of which there are two shortlisted bidders i.e. Stage Coach and South West Trains. There had been a press release from Chris Grayling the Transport Minister. However the statistics released were incorrect as revenue generated from the purchase of through ticketing had not been included.

Level Crossings: on the mainland a tractor had almost been cut in two when a train crashed into it when crossing an unmanned level crossing. The tractor driver had used the phone to call ahead (as procedure) but the incident still occurred. Luckily there was no loss of life but it adds more evidence to Network Rail that level crossings are unsafe and it is known that they wish to close them.

IWC Events Team: Elaine Caesar has now been made redundant and the events team disbanded. It is a huge loss to the IW in respect of publicity and revenue.

It was reported by the LAF that other IWC departments were going to step into run some of the festivals such as AONB. However, Richard Grogan the AONB lead officer clarified that his team may be able to talk to possible organisations about taking the festivals forward in the future but his team cannot take this work on in its entirety as there is no additional funding to support them with this work.

Police 4X4 training the police had previously asked if any landowner could provide them with access to a quarry so they could practice 4X4 skills. Someone has come forward and negotiations are taking place.

Thefts: Catalytic converters had been stolen off cars left parked up. Police have advised owners of vehicles with Catalytic converters to get them stamped and registered

Fly tipping: large scale illegal tipping and dumping is regularly occurring. The Environment Agency is investigating 7 cases on the Island. Inform the EA if anything suspicious is spotted 0800 807060.

Technology: Digital maps on phones allow satellite tracking. Ordnance Survey (O/S) has app data which shows the most used routes. Red Squirrel hire bikes have GPS trackers and data is being gathered from them to ascertain the routes which are being taken. The Twizzy car operator went into receivership and are no longer on the Island or available for hire.

Action – LAF Chairman to contact O/S to acquire data.

7. User Group Updates

- **Rights of Way – Darrel Clarke**

Coastal Access: Now very much on our radar and a lot of work ahead.

ROWIP: We are still in the consultation period which ends on 16th September. The LAF has already responded but if you have not yet responded in a personal capacity then please do so before the 16th.

Hedge Cutting: The hedge cutting programme is in progress. There has been considerable growth this year so it is taking slightly longer to get round but we are still on course to cover the whole of the Island by the end of November.

Tricia reminded Darrel that equestrians needed extra height and Darrel has advised he will remind the maintenance team of this.

Schemes:

Lynbottom: Department has received a small pot of s106 moneys as part of Amey's redevelopment of the civic amenity site to improve entrances to ROW in the area.

Orchard Bay: After a long legal dispute agreement as finally been reached to install beach access steps to Orchard Bay which is south of Ventnor Botanic Gardens. Instructions to contractors to install the steps have been issued today – the steps will effectively reinstate public footpath V93a destroyed in storms a couple of years ago.

GL57: Improvements to GL57 path behind the Griffin Pub at Godshill leading to Sainham using money provided by HF Holidays – this will involve path widening, boardwalk, new bridge and drainage.

Brading Down dedication: The consultation period has now ended to formalise the route across Brading Down as a bridleway so that it is recorded on the Definitive Map. No objections have been received and English Heritage are happy that this proceeds over this scheduled monument site.

Homestead Farm – new bridleway at Ningwood. All works completed but frustratingly this cannot be opened due to a dispute between the solar company and one of the landowners. This matter is in the hands of the Council's Legal Services department.

Westover Permissive Agreement – this has been delayed by a legal technicality but the landowner is in agreement and once the legal problem has been resolved a new agreement for the Westover paths will be possible. I don't think access is being prevented despite the Natural England permissive arrangement ending.

Public Footpath R48 known as Ladies Walk. A lease in respect of this path has at long last been completed which effectively means that the path is owned by the Council who will allow it to be used for cycling. This will complete the Newport to Seaview cycle route.

Definitive Map digital mapping the GIS files have been done but the IWC IT team cannot convert them into digital maps for public view as they are committed to another project, so it will be a long time before they have the staffing resources to do the necessary. Cllr Fuller had previously emailed the head of IT (but had not had a reply) to offer the services of Simon Perry to convert the GIS data.

Action – chase up IT regarding the offer of assistance - Darrel

- **IW Bridleways Group – Tricia Merrifield**

The Bridleways group had spent a lot of time on submitting their stakeholder consultation for the ROWIP and have been carrying out working parties, mainly removing brambles.

- **Cycle Wight – Alex Lawson**

Very busy with Cycling Festival, Wayfarers, Randonnee, putting on lead rides in conjunction with AONB to coincide with Walk the Wight. In September there will be a cyclist breakfast.

- **IW Ramblers – Mike Slater**

The Ramblers have been busy with their stakeholder submission to the ROWIP consultation. The Island's Ramblers will shortly be participating in the Association's "Walk about Festival" which, together with mainland groups, will create the biggest ever walking festival in Britain. The Ramblers' pre coastal path survey: many different people from walking groups and organisations are taking part to cover the whole of the island. There are 8 survey teams divided over 11 stretches using a standard survey form to capture the results of their findings. Access over private land is only with the landowner's permission.

- **IW 4X 4 Club – Steve Darch**

Steve had left the meeting early but he had mentioned that the 4X4 club would shortly be undertaking their annual survey of the Byways network.

Steve had also commented about the Traffic Regulation Order which prohibited motor vehicles from using the Tennyson Trail (BOAT) and the likelihood of it being revoked. It was felt that this was a missed opportunity as it would have been a good question to have asked Tony Tutton whilst he was here (NT is one of the landowners along the TT).

- **NFU – John Heather**

NFU is busy working with their members regarding changes to British Agricultural Policy.

8. Any Other Business

Simon Perry – Definitive Map GIS data should be open for all to freely use and can be developed in many ways.

Action – As above Darrel to chase up IT

Peter Fellows – East Wight Landscape Partnership improvement works between Bembridge Windmill and Brading Quay i.e. Public Footpath BB21. Work will start on Monday and it is anticipated that it will take 3 weeks. The path will be closed whilst work is in progress.

Next LAF meeting will be at 4pm on **Thursday 1 December 2016**
@ St Johns Church Hall, Drake Road, Newport

Future Dates

2 February 2017
6 April 2017
6 July 2017
7 September 2017
7 December 2017

Mark Earp
LAF Chairman

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Isle of Wight

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18 July 2016

Dear Mr Earp

Thank you for your letter dated 8 June 2016 addressed to John Metcalfe. John has asked me to respond as Head of Service for Public Rights of Way.

I can confirm that my colleagues in the Public Rights of Way team have been briefing myself and the Recreation & Public Spaces Manager in connection with the Coastal Access scheme on the Island, the first stage of which is due to start in the Spring of 2017. The Council is aware of the scale of the scheme and the resource that will be required in order provide the vital supporting and implementation role in conjunction with Natural England and for the future management and maintenance of the new coastal path.

As you are aware, a meeting has been arranged for 1 September with representatives from Natural England at which myself, the Recreation & Public Spaces Manager and the Rights of Way Manager will be attending. It is hoped that this meeting will be the first step in ascertaining the likely level of funding which will be made available by Natural England to the Council to cover the cost of the additional resource required, which will subsequently be formalised by a Memorandum of Understanding. Once the level of funding is known, consideration will be given as to the best way in which the required resource can be fully funded and delivered.

I understand that after the meeting with the Council, Natural England will be attending the Local Access Forum and I will therefore ask them and the Rights of Way Manger to provide LAF Members with an update on the funding aspect and to keep the LAF informed of future progress.

Yours sincerely

Alex Minns
Head of Commercial Services