Minutes – Meeting 55
St Johns Church Hall, Drake Road, Newport
Thursday 2 February 2017

Present at the meeting:
Forum Members:
Mark Earp - Chairman
Cllr Paul Fuller
Cllr John Medland
Alec Lawson
Cllr John Hobart
Penny Edwards
Des Jackman
Iain Maclennan
Mike Slater
Belinda Walters
John Heather
John Gurney-Champion
Richard Grogan
Others:
Cllr Julie Jones-Evans
Tom Ransom – Sustans
Kelly Wetherick - EWLP
Helena Hewston – Shalfleet P/C
Gillian Belben – Chillerton & Gatcombe P/C
Mick Thirkettle – Arreton P/C
Fanny Oglander – Brading T/C
Ian Bast – member of public
Joe Nash – member of the public
Tim Thorne – Cyclewight
Darrel Clarke - IWC Public Rights of Way Manager
Forum Secretary:
Jennine Gardiner - Rights of Way Assistant, IWC Public Rights of Way Section (PROW)

1. Apologies:

Apologies were received from:
Glenn Sharman – LAF Member
Alex Lawson – LAF Member
Tricia Merrifield – LAF Member
David Farnham – ex LAF member & regular guest

2. Minutes of previous meeting
Minutes accepted.

Declarations of Interest
None

Update of actions from last meeting:

Planning: Ask IWC Planning to draft guidance (or even attend a LAF meeting to give a talk) on what is the difference between S106 and CIL and why this Council has decided to stay with S106. Email was sent to planning and Wendy – no reply
Cllr Fuller to speak to Wendy Perera (Head of Place, which includes Planning) about this matter. Since last LAF meeting the Members roles and responsibilities have changed and Cllr Fuller has not had the time to discuss this matter with Wendy
ACTION – Cllr Fuller to follow this up.

Mr Turner MP wanted to be kept informed of LAF matters. He has been added to the LAF email distribution list so he has an opportunity to be aware of the matters we raise and discuss.

Woodhouse Copse (open access land): Mark Earp advised even though the landowner received a fine it has been observed that fencing has been erected to try and screen the increasing amount of rubbish. However, asbestos and tarmac can still be seen on site. It is hoped that the relevant authorities will pick up on this matter soon.

Roud Lane; Cllr Dave Stewart had been to see Penny (Cllr Stewart is now the leader of the Council, but was not at the time he visited Penny). Cllr Stewart told Penny to leave the matter with him and he would resolve. So far the situation on the ground is still the same and Penny has not had any further updates. Cllr Jon Gilby is now the Executive Member for Major Contracts Management (this includes the Highways PFI)
ACTION - Penny to contact Cllr Gilby.

Stick & Flick; Members had now read the current dog fouling order. Members **do not** support the Forestry Commission's Stick & Flick campaign, the reason being that by actively supporting this it gives mixed messages to the members of the dog walking public who cannot distinguish between land acceptable for stick and flicking and land which is not (RSPB sites and farm land DO NOT want any dog mess left on site). The only action that LAF members can support is for dog walkers, in all circumstances, to bag up their dog's mess and dispose of this responsibly i.e. in an appropriate bin.
ACTION – Mark will inform Forestry Commission of the LAF decision

Neil Morey; Mark confirmed he had written a letter of thanks to Neil

Possible upgrades to Restricted Byways: Tricia was not present at the meeting so we do not know if the Bridleways Group has made any recommendations for possible sites. Penny had contacted the carriage driving group but had only had two replies to her communication. The only way this will move forward is if a list of existing Footpaths / Bridleways which already have enough width are identified and the list forwarded to the Rights of Way Manager (Darrel) so he can start to investigate and speak to landowners.
ACTION – Penny / Tricia compile a list of locations for Darrel

Solent LEP – This matter was not discussed but it needs to be established. After recent changes, who is representing the Island on this body? What the proposals are and whether there are any funding streams that Solent LAF's may be able to tap into?
ACTION – Cllr Fuller to advise

3. 20mph Speed Limits

Cllr Julie Jones-Evans attended the LAF meeting. Julie is the Councillor for Newport Central and is championing the 20's Plenty Campaign. The idea behind reducing speed limits in residential areas is to change the space around us, bring communities together to allow those who feel vulnerable and intimidated by vehicular traffic to feel safer when venturing outside. It is hoped that in turn it will change attitudes, take cars off the road to free up space and promote confidence in walking and cycling. Julie had spoken to many Newport residents, especially older people, who are too frightened to cross the road in fear of conflict with vehicles. Noise and air pollution, night time speeding, lack of on street parking and the resulting frustrations are all factors which may be

reduced in hand with lower speed limits. However, politically this idea is not well received as the cost to install signage, consult on traffic regulation orders and implement zones are high.

Lack of Police enforcement was raised as a concern. Julie hopes that self-compliance will become normal - that is to say drivers will see a 20 sign and think of the people around them and speeding becomes unacceptable. If drivers automatically reduce their speed then confidence will grow for walking and cycling. If this more active travel (walking / cycling), with its added health benefits increases, then more cars will be off the roads.

For further reading please refer to the Newport Parish Council's website, link below. This page has a video of the 20mph conference and links to the presentations made by the following speakers:

Rod King MBE – 20's Plenty for Us
Dr William Bird – Intelligent Health
Kevin Burton – Island Roads
Sarah Sharp – campaigner from Chichester
Chad Oatley – Public Health
http://www.newportwight.org.uk/projects/20s-plenty/

Accident data can be found by referring to Crashmap.co.uk. Searches can be undertaken on date ranges and locations. For example in 2015 the Island had 5 fatal crashes. The overall combined cost to the Island's services in attending and dealing with fatal and serious incidents runs into millions of pounds.
http://www.crashmap.co.uk/

Whilst Rod King of the UK wide 20's plenty campaign would like to see a default blanket 20 reduction where there is already a 30 in place, for the Isle of Wight the locations for a reduction in speed limit would be decided by individual Town and Parish Councils. So far £100,000 has been ear marked for the start of this Isle of Wight project and the 20 scheme will be been added to the IW Council's Forward Plan for the summer (the Forward Plan is produced monthly and covers the decisions proposed to be made during the next four month period).

Link to the IWC Forward Plan
https://www.iwight.com/documentlibrary/view/forward-plan

Cllr Hobart pointed out that there are some single track rural roads which link into the Rights of Way network or are links between settlements which walkers and equestrians regularly use, and these are often derestricted (national speed limit) but should be considered to be included in lower speed limits.

LAF members were disappointed in the lack of joined up thinking, working and coordination between the Police and Public Health regarding support for a reduction in speed limits and enforcement of the existing Island's limits.
Link to the Association of Police and Crime Commissioner website:
http://www.apccs.police.uk/role-of-the-pcc/

A reminder was issued that the Police and Crime Commissioner for Hampshire and the Isle of Wight, Michael Lane, is holding a Conference at the Riverside Centre on Wednesday 15th February 2016 between 9am and 4pm; this is a chance to have your views heard.
Link to website:
https://www.eventbrite.co.uk/e/isle-of-wight-rural-communities-matter-conference-tickets-29443847340

Some Parish Councils are very keen to see lower limits in their parish and would consider match funding any such schemes to lower limits in their towns and villages.

LAF, in principle, support the concept of 20mph zones / reduced limits (residential and selected rural roads which link into the disjointed Rights of Way network) and Mark will write a letter of support.

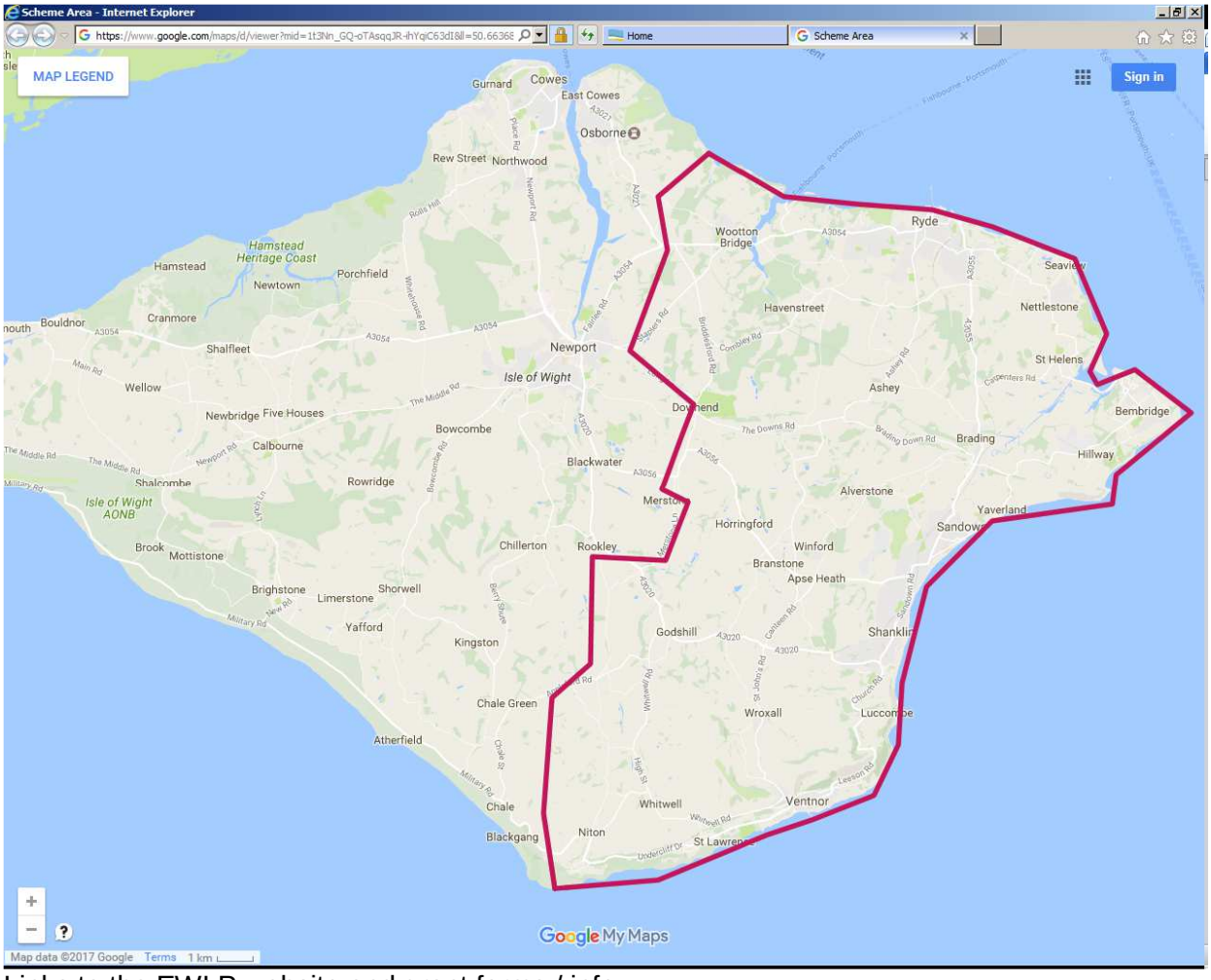
ACTION – Mark to write in support via Cllr Jones-Evans
ACTION – Mark to write to Police & Crime Commissioner

4. Down to the Coast Grants – Kelly Wetherwick

The Down to the Coast programme, part of the East Wight Landscape Partnership (EWLP) project, is now in the position to offer grants. Grants can be up to £5000 and will be available in 4 rounds of funding over the next two years. Projects will be delivered in the East Wight boundary area (see map below) and meet the aims of the scheme which are

- Improve the condition of locally important habitats and built heritage
- Enable people to explore and enjoy the landscape's natural and cultural heritage

Kelly can be contacted on:
Kelly.wetherick@iow.gov.uk
Tel 01983 865540



Links to the EWLP website and grant forms / info
http://www.downtothecoast.co.uk/
http://www.downtothecoast.co.uk/grants/

5. **SUSTRANS** – Tom Ranson from Sustrans gave an update regarding his work which is encouraging walking, scootering (childrens scooters, not the motor type) and cycling to school. There are 3 members of SUSTRANS on the Island encouraging and promoting active travel in schools. It is hoped that with this support that in future years the schools themselves will take over the responsibility for promoting and encouraging active journeys to school. This may culminate in the schools identifying what infrastructure needs to be changed to encourage active travel and develop their own travel plans.

The scheme has paid for Dr Bike (a qualified bike mechanic) to visit schools to check pupil's bikes with any resulting minor adjustments being carried out free of charge.

Tom has seen a rise in scooters and bikes being taken to schools over the time he has been in the post. The funding originally started with LSTF1 then the transition year fund and now the Access Fund. Chris Gregory to be invited to the next LAF meeting to give an update on the current Access Fund.

Mike Slater informed the LAF that the Ramblers were keen to work in partnership with other organisations and groups and therefore if a particular local route could potentially be improved as to encourage active travel to school, such as getting an obstruction removed, then the Island's Ramblers should be contacted via Mike to discuss how to work together.

Mention was made to overhanging hedges adjacent to pavements and footways, and the group was reminded that such obstructions and nuisances should be reported in the first instance to Island Roads as they act on behalf of the Highway Authority (IW Council). It is their duty to contact the landowner to request removal of their vegetation from the public highway and to enforce if necessary.

Trees and hedges on land adjacent to a highway and which encroach upon or overhang a highway are the responsibility of the owner of the land they are situated. The owner has a legal obligation to keep them from encroaching on the highway (which means pavements, roads and Public Rights of Way).

ACTION – invite Chris Gregory to April LAF

6. Charimans Update

John Taylor from the **Natural England's Coastal Path** team has advised he will attend all LAF meeting after April 2017

BT wanted to know the LAF's thoughts regarding the closure of all BT phone boxes Island wide, as each box costs approximately £2000 pa to maintain. LAF discussion took place; concerns raised included the lack of mobile signal in some rural locations and that 25% of the public do not have access to a mobile phone or internet so these points are still a potential life line. However, most boxes do not now take coins so they are already unusable to the most vulnerable people. The decision was that BT should be told that it needs to improve its free WIFI hotspots and mobile signals before the LAF could support the removal of the remaining BT phone boxes.
ACTION – Chairman to write to BT/ OFCOM with LAF comments

Red Funnel has temporarily suspended the introduction of bikes on the Red Jet 6 due to logistical and engineering difficulties. They are planning that in the future all Red Jets will have space and capacity for bikes. Folding bikes are currently permitted free on all Red Jets but they must be in a holdall.

Bird Flu – all free range birds must be kept inside until 28 February 2017 at which time DEFRA will have decided if the restrictions can be lifted or further lock down is required. It is disappointing that many back garden poultry keepers are disregarding this duty and still allowing their birds to be outside. John Heather advised that if the restriction runs past 28 February 2017 this will affect all farmers of free range birds and eggs as production will cease on free range items. This will have a devastating effect of their livelihoods.

The Local Authority has a duty to enforce on any non-compliance of the indoor housing of poultry whilst the lock down is in place and any concerns should be reported via the Animal Health Enforcement Officer at Environmental Health, Jubilee Stores tel 01983 821000.

RSPB at Brading Marshes reserve are asking people to keep an eye out for dead wildfowl. If any clusters of 5 or more dead birds are spotted report the sightings to the DEFRA hotline on 03459 335577. Never touch dead wild birds.

Newport Harbour Revision Order – it was decided that this had no impact of any Rights of Way or public access.

Guidance for LAF's – the 2007 Statutory Guidance document that Natural England had produced is out of date. Mark had written to DEFRA about this and had a reply but they have no plans to make any updates.
Copy of the reply letter for information is at the back of the minutes.
The guidance can be found on the LAF's webpage, in the document section: link https://www.iwight.com/Residents/Environment-Planning-and-Waste/Rights-of-Way/Public-Rights-of-Way/Local-Access-Forum1

Electric Vehicles – complaint received as someone received a parking ticket when parked up a Council car park. For clarification there is no free parking in Council car parks for electric vehicles. The only concession is if they are actively charging, in which case they don't need to have paid for a parking ticket.

Bleak Down Permissive Path – this permissive agreement with Natural England's stewardship scheme ended on the 31 October 2016. This permissive path is a useful link and keeps pedestrians off the busy road. Mark had written to Roach Pittis (agent for the landowner) but had not had any reply. It was mentioned that the occupier/manager at Cridmore Farm might know about this site and may be able to assist.
ACTION – Contact Cridmore Farm

7. Rights of Way – Darrel

Section 106 Funding: Petticoat Lane, path linking Carisbrooke Church and Purdy Road and Public Footpath R112 linking Dame Antony's Common and Binstead and will all be improved in terms of clearance, widening and surfacing prior to the end the financial year.

Cllr Hobart raised the concern that the standard of all footpaths linking and around schools need to be improved and that further schemes to upgrade urban path surfaces need to be considered for the future. However, Darrel pointed out that the recently released budget papers show that the Rights of Way capital budget is halved to £50,000 for 2017/2018 and to zero for the following four years. If this is to be the case very little in the way of improvements to the existing network will possible.

Mark will write to the IWC Chief Executive and Leader of the Council to raise concerns as it is clear to the LAF that the implications of a reduced Rights of Way capital budget on the network will affect the delivery of statutory services and impact on active travel, public health and tourism.
ACTION – Mark to write to leader of the Council and Chief Executive

A joint scheme with Brading Parish Council will see a short section of the old railway line between Brading and St Helens being resurfaced. The section gets wet and muddy in the winter and the surfacing will resolve this – again to be completed by the end of March.

Two Footpaths at Bembridge (BB5 and BB34) have been successfully upgraded to Bridleway status. This was a request made by the IW Bridleway Group. Formal Creation Orders were made and two objections were withdrawn – this will provide a valuable off road link for horse riders and cyclists from Forelands, Bembridge to Bembridge Point.

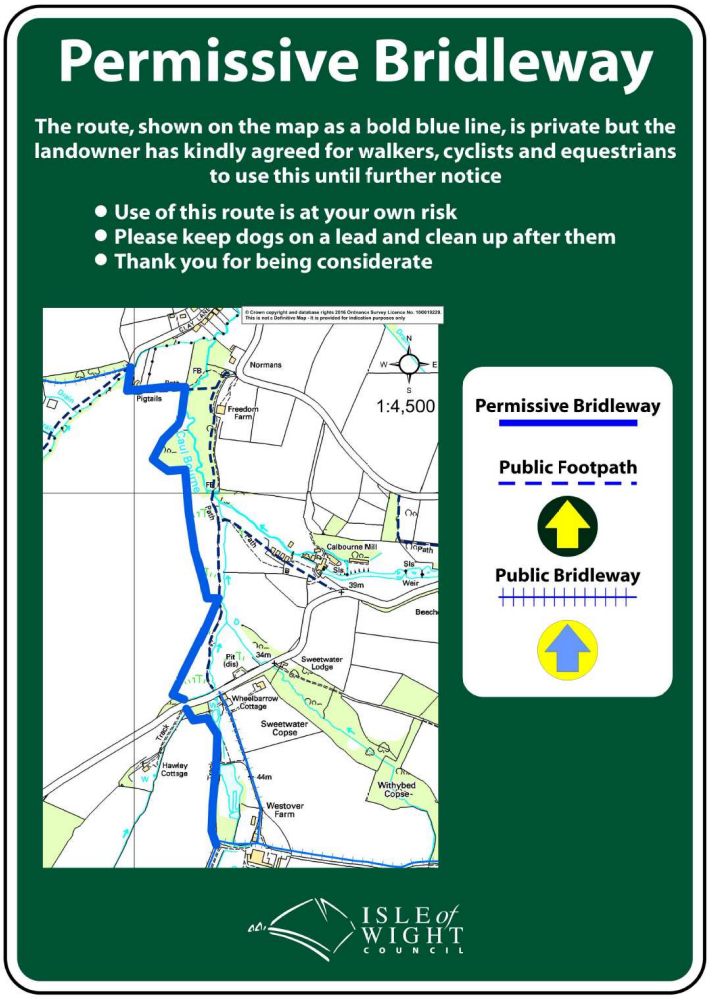
Permissive Bridleway at Stone Farm linking a byway to the cycle track at Blackwater is due to be completed soon – this will provide an off road circular route for walkers, horse riders and cyclists in the Blackwater and Merstone area.

It was asked if this permissive route can accommodate carriages (as it already links to a Byway) Darrel will ask landowner.
ACTION – Darrel to contact landowner

Coastal Access – team is looking forward to starting work on this in April. We are currently working with Natural England on an agreement which will cover the Council's expenses for working on the scheme.

Ningwood Solar Park – New Bridleway is ready on the ground but one of the landowners is in a legal dispute with the solar park developer and is holding back permission for the public to use this route and will not sign the dedication agreement. IW Council's Legal Services Team are dealing.

Permissive Bridleway at Westover – the agreement has now been completed.



A guidance note was issued to all landowners who have cross field paths to remind them of their duties regarding Ploughing and Cropping. Darrel thanked CLA and NFU with their help and cooperation in putting this guidance sheet together.
Copy of guidance note attached to end of the minutes for information.

8. User Group Updates

- **IW Bridleways Group – Tricia Merrifield**

No update as Tricia was not at meeting

- **Cycle Wight – Tim Thorne for Alex**

Cyclewight is in active talks with IWC Planning committees and commenting on applications. The Carisbrooke School plans provide inadequate cycle parking; Cyclewight Chairman Tim Thorne has been invited to address the planning committee and a cycling strategy is being written to present to planning. The plans for Cycle parking for 72 bicycles at Red Funnel West Cowes are welcome. Red Funnel is to be commended for its co-operation. However, despite promises Red Jet 6 remains the only ferry service to the mainland which does not carry bicycles.

The IW Cycle Forum is to be on Thursday 9 February at 6pm at the IW Fire & Rescue HQ. All are welcome to attend.

The AOB items on previous LAF minutes regarding passing horses and on-road group cycling are accepted and will be passed on to cyclists and event organisers.

The Wayfarers Randonnée 2017 is on Sunday 30 April. The IW Cycling Festival 2017 is planned for 23 September to 1 October.

The Carisbrooke College travel plan (TCP/27713/D, P/01453/16) was very poor and Cyclewight made a representation.
AFTER LAF MEETING INFO - This planning application was approved on the 6 February 2017. A condition was made in the planning permission which reads;

Condition 10:
Prior to work commencing a School Travel Plan with the specific intention of reducing the need to travel to and from the school by car and to positively encourage travel by foot, bicycle, by public transport or by other sustainable means together with a programme for future monitoring shall be submitted to and agreed in writing with the local planning authority. The agreed plan shall then be implemented from the day that the use commences/building is brought into use in accordance with the measures set out in the document. The plan shall be monitored and an annual report produced and submitted to the local planning authority in accordance with the timescale also set out and agreed in the school travel plan.
Reason: In order to encourage sustainable methods of travel to and from the school, in accordance with policy DM2 (Design Quality) and DM17 (Sustainable Travel) of the Island Plan Core Strategy and the principles of the NPPF

- **IW Ramblers – Mike Slater**

Mike confirmed that the Ramblers Coastal Path survey had now been completed, it had been split into 11 sections and the results of this will now be consolidated into a report to be presented to Natural England.

Belinda feels that any report that the Ramblers have undertaken should not be presented to Natural England prior to the start of the Isle of Wight section i.e. not before 1 April 2017.

- **IW 4X 4 Club – Steve Darch**

No update as Steve was not at meeting

- **LANDOWNER**

John reported that livestock worrying was on the increase and farmers would appreciate if dogs could be kept on leads through farmland and livestock.

9. Any Other Business

Mr Ian Blast who is partially sighted and uses a guide dog attended the meeting. Mr Blast was most distressed as horse riders had started to use a Public Footpath (called N208) which is a local path he uses regularly. N208 is an old railway line and runs adjacent to Fairlee Road, it is recorded on the Definitive Map as a Footpath and it is maintained by Island Roads as it is promoted as a cycling route.

Mr Blast had come across horse mess on the path and takes offence to this as he feels as a dog owner he picks up his dogs mess but equestrians do not pick up their horses mess, which in turn means that this is walked through and taken into homes. He had encountered horses being ridden at an inappropriate speed along the path (galloping) which was unsafe and frightening to him and his dog. He has said this is a well-used path which many children use to get to school and horses should not be allowed on it.

Mr Blast wanted to know when the status was changed from Footpath to Bridleway?

Darrel advised that the land is owned in the main by the Isle of Wight Council, who as landowner wish to promote considerate shared use as much as possible. We know that horse riders feel vulnerable when forced onto busy roads and Fairlee Road is such a location. Darrel advised that there has been no change to the "classification" i.e. it is still recorded as a Footpath but it is simply that the landowner (Council) tolerates equestrians using this route.

However, it is not appropriate for any horse rider using this path to proceed at more than a walking pace as pedestrians are the priority here. Any horse mess would need to be reported to Island Roads in order that they can clear this from the path. Mr Blast advised that the riders are coming from the stables at Fairlee Farm and Darrel has advised he will write to the stable owner so she can make her customers aware of the concerns in order that they can ensure that they are considerate to pedestrians when using this path.
For reference at the end of these minutes I have added a map to show the location of N208
ACTION – Darrel to write to stable owner

Disabled Access (Wheelchair) to the Chain Ferry Passenger Launch – Joe Nash has asked if disabled access was considered when the IW Council passenger launch was set up. Joe who is a wheelchair user has said he is unable to use the launch.
ACTION – LAF to find out from the IWC what was considered when tendering for the launch

Future 2017 dates – all start at 4pm on a Thursday @
St Johns Church Hall,
Drake Road, Newport
6 April
6 July
7 September
7 December

Department
for Environment
Food & Rural Affairs

MCU 3rd Floor
Nobel House
Smith Square
London SW1P 3JR

T 03459 335577
defra.helpline@defra.gsi.gov.uk
www.gov.uk/defra

Mr Mark Earp
Kitbridge Farm
Forest Road
Newport
Isle of Wight
PO30 5NB

Our ref: DWO419196/JS

20 January 2017

Dear Mr Earp,

Thank you for your letter of 14 December about The Local Access Forums (LAFs) Regulations for England, as issued by the Secretary of State in 2007.

The Government believes that the Guidance on LAFs in England remains an essential reference guide which details respective roles and responsibilities for LAFs and its members.

There are no plans to revise the Guidance at this time. The information contained in the Guidance is now available on the gov.uk website at:
https://www.gov.uk/guidance/local-access-forums-role-of-the-local-authority

The original Guidance can be found at:
http://webarchive.nationalarchives.gov.uk/20130123162956/http:/archive.defra.gov.uk/rural/documents/countryside/crow/laf-guidance.pdf

Yours sincerely,

[redacted]

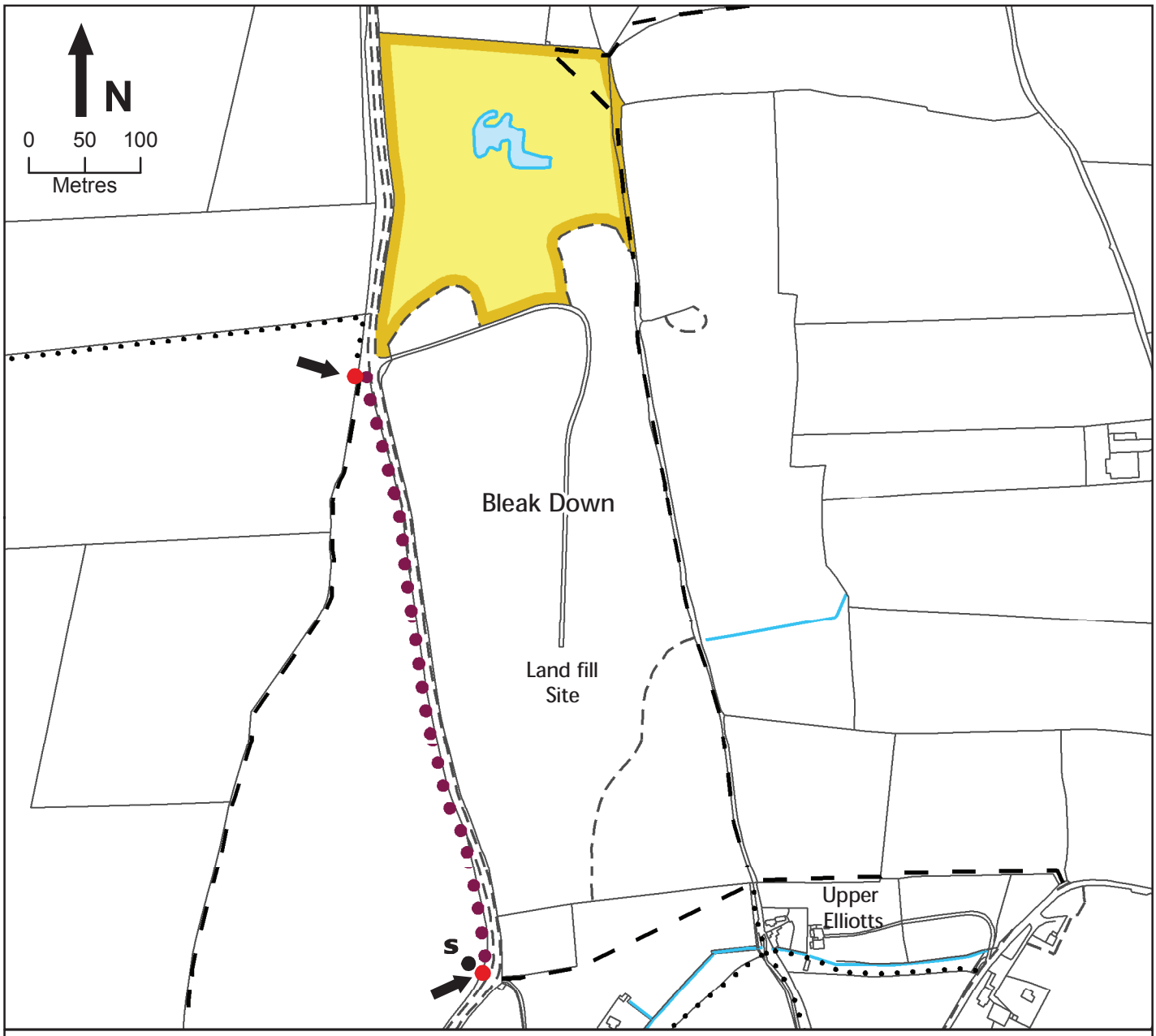
Jordan Stanley

Defra - Ministerial Contact Unit

POSITIVE ABOUT DISABLED PEOPLE

PERMISSIVE ACCESS

This permissive footpath takes walkers off the busy Niton Road to the west of Bleak Down. The path runs next to arable fields where in the winter and spring lapwing may be seen. In the late summer parts of the crop may be tinged with blue and yellow where cornflowers and corn marigold grow.



Grid Ref SZ 510 815

Ref Nos AG00221273
16/010/0019

S Stile

You Are Here

Entry/exit point

CRoW Act Open Access
(See smallprint below)

Permissive Footpath

Public Footpath

Public Bridleway

This access is provided under the Department for Environment, Food & Rural Affairs' farm conservation schemes as managed by Natural England, helping farmers and land managers protect and improve the countryside, its wildlife and history. It is permissive access and no new rights of way are being created. Existing rights of way are not affected. Please follow the Country Code & local signs. CRoW Open Access is provided under the CRoW Act 2000 and gives rights of access to open country (For deatils & restrictions see www.countrysideaccess.gov.uk). Do not disturb wildlife, livestock or other visitors and in particular keep dogs under control. This is working farmland so please take care. People using this site do so at their own risk. Access ends on 31st October 2016.

For access related queries please call the Access Management Unit on 01902 693218 (Office Hours).
For all other Defra related queries please contact the Defra Helpline on 08459 335577 (Office Hours).

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ENVIRONMENTAL STEWARDSHIP

COUNTRYSIDE STEWARDSHIP

ENVIRONMENTALLY SENSITIVE AREAS

NATURAL ENGLAND

Public Rights of Way Service

Public Paths: Ploughing & Cropping Guidance for Landowners and Farmers

Introduction:

This guide is designed to assist landowners, tenants, farm managers and agricultural contractors. It explains the legal requirements to keep public rights of way open and available after ploughing and cropping. If followed, these guidelines will help prevent inadvertent trespassing, damage to crops and the worrying of livestock.

Before ploughing:

- Ensure the tractor driver/contractors know where paths are and how to deal with them.
- Field edge paths and byways open to all traffic must not be ploughed.
- Avoid ploughing cross field paths if at all possible.

Following ploughing:

- Within 14 days of ploughing, the path must have a firm level surface and be marked on the ground to at least the minimum width (see table below) with two or more sets of wheelings.
- It is good practice, and saves time, to reinstate the path before leaving the field.

Further cultivation:

- If further cultivation is necessary after the expiry of the 14 day period following ploughing, the path must be reinstated within 24 hours. Again this is best achieved before leaving the field.

During the growing season (for crops other than grass):

- As the crop germinates, the path must remain evident on the ground.
- As soon as is practical and before the crop reaches a height of 150mm (6") remove the crop from the path.
- Continue to ensure that the path remains clear of the crop to its minimum width (see table below) including encroachment from the side.
- Any side growth from hedges or over-hanging trees should be kept clear of a field edge path.

Tall Crops:

- To prevent obstruction to the minimum widths (see table below), tall crops such as oil seed rape or maize may need additional clearance during the growing season. A more practical solution is to cut back additional width equal to the anticipated height of the crop.

CROSS FIELD PATHS			
	Footpath	Bridleway	Byway
What is the minimum width required?	1m	2m	3m
Can I plough a cross field path?	Yes, if it cannot be reasonably avoided		NO
What has to happen after ploughing?	Within 14 day ensure that the path has a firm and even surface, is convenient and safe to use and the minimum widths as stated above are observed.		N/A
What if further cultivation is required?	The reinstatement works referred to above must be carried out within 24 hours.		N/A
FIELD EDGE PATHS			
	Footpath	Bridleway	Byway
What is the minimum width required?	1.5m	3m	3m
Can I plough a field edge path?	NO		
What are my other duties in respect of field edge paths?	You must ensure that side and overhanging growth is cut back in order to maintain the widths of the public rights of way (as stated above) and to allow sufficient headroom (2.4m for Footpaths and 3m for Bridleways).		
CROPS			
Crops have started to grow on the path which crosses my land, what should I do?	You must keep the minimum width of the paths (as stated above) clear from any crops and ensure the route is clearly marked.		

What happens if a path is not reinstated?

It is the duty of the landowner/tenant to ensure that when a field is cropped or ploughed, any public path across it is reinstated to the legally prescribed widths and within the stated timescales (s134 Highways Act 1980, as amended).

It is the responsibility of the Isle of Wight Council to ensure that this landowner duty is complied with (s134(6) Highways Act 1980, as amended).

The Public Rights of Way Service of the Isle of Wight Council asks all landowners and farmers to do everything they can to ensure that all paths crossing their land remain open and convenient for the public to use in a safe manner.

If the Public Rights of Way Service is aware that a path has not been reinstated following ploughing or is overgrown to an extent that it is not possible to conveniently and safely use then it will, in the first instance, always make an informal approach to the farmer to request that the problem be resolved within a reasonable time period.

However, if this informal approach is unsuccessful and the path remains obstructed then the matter will have to be resolved by taking formal action by exercising the relevant enforcement powers provided by the Highways Act 1980, as amended.

Landowners and farmers are now required to maintain all public rights of way crossing their land when claiming payments under the Single Payment Scheme administered by the Rural Payments Agency. If formal enforcement action becomes necessary then there will be no option other than to follow the advice of DEFRA and report the matter to the Rural Payments Agency.

Further Information and Help:

The Public Rights of Way Service wishes to work with landowners and farmers. If you have any queries or suggestions about this guide or public rights of way generally then please contact us at:

Public Rights of Way
Isle of Wight Council
County Hall
High Street
Newport
Isle of Wight
PO30 1UD

Tel: 01983 821000
Email: rightsofway@iow.gov.uk

The CLA and NFU have been consulted on the guidance in this booklet.

CLA: Advice and further guidance on land-owning issues, including in relation to public rights of way, is available to CLA members; in the first instance, please contact the IOW office for the SE Region on 01983 210317.

NFU: Members are able to access further support and advice on public rights of way management through contacting NFU. Call first on 0370 845 8458. This includes a comprehensive series of business guides on public rights of way as well as direct support and legal assistance if needed in certain circumstances.

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