



Minutes – Meeting 54
St Johns Church Hall, Drake Road, Newport
Thursday 1st December 2016

Present at the meeting:

Forum Members:

Mark Earp - Chairman
Cllr Paul Fuller
Cllr John Medland
Tricia Merrifield
Alec Lawson
Stephen Darch
Cllr John Hobart
Penny Edwards
Des Jackman
Iain Maclennan
Mike Slater

Others:

Helena Hewston – Shalfleet Parish Council
Peter Johnston – Guest / Observer

Forum Secretary:

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

1. Apologies:

Apologies were received from:

Darrel Clarke - IWC Public Rights of Way Manager
Glenn Sharman – LAF Member
Belinda Walters - LAF Member
John Gurney-Champion - LAF Member
Emma Douglass - LAF Member
Richard Grogan - LAF Member
Joel Bateman – AONB
Hugh Walding – IW FOE
Mike Vallender – Guest / Observer
Mike Marchant - Guest / Observer
David Farnham – ex LAF member & regular guest
Jamie Marsh – Hants & IW Wildlife Trust
Ollie Boulter – IWC Planning Team Leader

2. Minutes of previous meeting

There is an error in item 6 - South West Trains is actually part of Stagecoach. The other bidder is First Group.

Other than this correction the previous minutes have been accepted.

Declarations of Interest

None

Update of actions from last meeting:

Page 2: Gunville Greenway: Lee Matthews is continuing to investigate funding avenues particularly the possibility of S106 moneys being secured through existing and proposed developments. Landownership issues and resource for Project Management need to be found / resolved.

Members discussed S106 generally i.e. the use of the contributions, ability of the IWC to obtain and utilise S106 and what it actually funds. Concerns were raised regarding the inability of IWC to spend the S106 within its designated timescales which ultimately means that funds are returned to the developer with no public benefit being gained. There was mention made to the Community Infrastructure Levy (CIL) and members asked why the Island has not adopted this in place of S106?

Action – Ask IWC Planning to draft guidance (or even attend a LAF meeting to give a talk) on what is the difference between S106 and CIL and why this Council has decided to stay with S106.

Action – Cllr Fuller to speak to Wendy Perera (Head of Place, which includes Planning) about this matter.

Page 2: Woodhouse Copse: LAF (Mark Earp) has written to and met with the MP Andrew Turner. The MP was sympathetic but had not heard of Woodhouse Copse or the problem. The owner of Woodhouse Copse, Mr Kirk, has appeared before the magistrate's court due to action taken by the IWC and has been fined, but the debris still remains. The MP has said he will take the matter up with Dr Terese Coffey (Secretary of State for Environment, Food & Rural Affairs). The MP has also been asked that he is kept informed of problems with fly tipping on the Island and the England Coastal Path.

Post meeting - Letters received from MP's office are attached for information.

Action – The MP has been added to the LAF email distribution list so he has an opportunity to be aware of the matters we raise and discuss.

Cllr Fuller who is the Executive Member for Environment, Sustainability and Local Engagement, which includes waste, says the level of fly tipping has not exceeded predicted level and Amey has funded the posts of two Community Enforcement Officers to investigate fly tipping. The Island's NFU had advised that their members have not raised concerns for higher than normal levels of fly tipping incidents on private land.

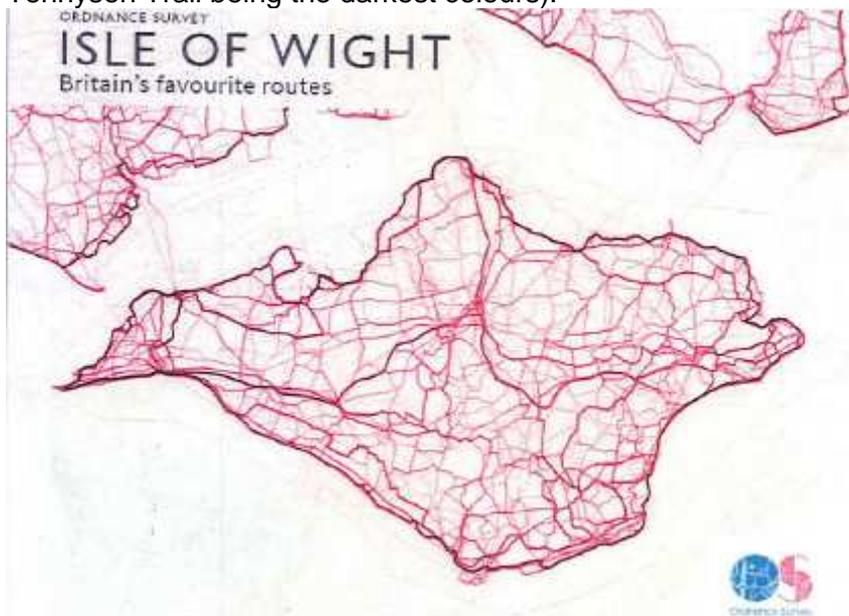
Page 2 Roud Lane: Island Roads were made aware of the concerns about Roud Lane and the Senior District Steward, Matt Shaw, did contact and speak to Penny Edwards shortly after the last LAF meeting. However, despite minor repairs being made there is still significant and growing damage to a section of the road. Cllr Rodney Downer has contacted Penny. However, the location of the damage is outside his ward boundary. Cllr Downer was helpful but sadly as the damage is not within his jurisdiction and he cannot progress this further.

Since the last meeting Mark Earp has walked the route and has spotted the section which is damaged. The LAF know that Island Roads have a lot of wasted tarmac where they overestimate other highways works and this waste is taken to be recycled. It is frustrating that there is no joined up thinking from the contractor to try and programme in work to rectify this problem on Roud Lane with the waste tarmac from other jobs in the vicinity.

As this matter is discussed regularly at LAF meetings and the same questions always arise I have added a map to the end of the minutes to show the ward boundaries and the highways network.

Action – Penny to contact Matt Shaw (Island Roads) and Bill Murphy (IWC Head of Contract Management) who oversees the management of the highways contract.

Page 5 - off road Satellite tracking data: Mark contacted Ordnance Survey (O/S) to ask for the heat map for the Isle of Wight. The heat map tracks GPS signals from phones / sat navs etc. used on the off road network i.e. walking / cycling. The brighter the red line = higher use of a particular route. This highlights the more popular trails and paths (for example note the coastal path and Tennyson Trail being the darkest colours).



Pages 6 and 8: Digital Definitive Map: Contact made with Simon Perry and an update provided to him on current position, which is that the Definitive Map 2000 (plus changes since that time) have been created as GIS shapefiles for use on digital mapping. The next stage is for ICT to use those files on a publicly available map on the Council's website. Current workloads within ICT mean that this has been delayed but will hopefully be achieved in the early part of 2017.

3. 20mph Speed Limits

A conference took place in October at the Riverside Centre promoting further 20 mph speed limits and zones, specifically in locations where people live and feel vulnerable, such as High Streets, around schools plus walking / cycling routes to school, residential areas and narrow country lanes. It was said that people are terrified of the close proximity of fast moving traffic especially the elderly and think their quality of life is less enjoyable. The conference was organised by Cllr Julie Jones-Evans. A guest speaker was Rod King, founder of the '20s Plenty' national campaign Website: <http://www.20splenty.org/>

Following the conference this matter was also discussed at the Cycle Forum and at which Cllr Julie Jones- Evans and Tracy Webb, the IWC Senior Road Safety Officer, attended. Tracey said at this meeting that the formal setting of speed limits and any the resulting compliance or non-compliance to that signed limit helps with the evidence in applying the proportion of liability after an accident occurs.

The IW Ramblers support a reduction in speed in key country lanes which serve to link rights of way routes.

The IWC already has a speed limit policy (adopted in 2009) which includes the setting of 20 mph limits and zones. This was updated in 2014 (refer to the Executive Meeting 9/9/2014 for the agenda, papers and minutes). At this meeting the new revised speed limit policy was set and this was based on the latest DfT guidance. **(Attached to these minutes is the draft speed limit policy which was adopted at the meeting on the 9/9/2014).**

Currently, the matter of further 20mph limits and zones is with the Environment and Transport Select Committee; refer to meeting 3/11/16 for the agenda, papers & minutes.

Action – Ask Cllr Julie Jones- Evans to the next LAF meeting so she can report the findings of the conference and update members on the plans.

Additional conversation took place about the amount of Tractors on our roads (especially because of the increase of tractor / trailer movements to the Wight Farm Energy site at Arreton) and the age of the drivers and speed at which these are driven which is sometimes very fast for such large and heavily laden vehicles. Information regarding agricultural vehicles including ages which they can be driven (16 in some cases) can be found at:

<https://www.gov.uk/guidance/agricultural-vehicle-licences-and-fuel>

4. Outcomes of Woolverton Garden Show

Mark, Des, Helena assisted by Elaine of IW Best Kept Villages ran a LAF stall for one day (Sunday) over the weekend of the Woolverton show. They were amazed at the number of questions and contacts made from this one day.

The stall had 4 visual displays: Coastal Path (208), Countryside Code (8), Rail Crossings (17) and Lost Ways (43). Over the course of the day there were over 600 visitors to the stand and 311 responses to the material on display - numbers relating to each subject quoted above in brackets. In addition there were 35 questions raised about other matters which Mark is working on.

Some of the other matters raised included:

Q: Shalfleet Ford (there is a group of people who specifically visit places to drive through fords) but they found Shalfleet ford no longer accessible for motor vehicles.

A: Mark is currently looking into the history of this site.

Q: What is happening to Stenbury Manor?

A: This is currently for sale and is on the market with the potential to purchase as a whole or split into six lots (1. Stenbury Manor, 2. Land at Stenbury Manor, 3. Itchills, 4. Stenbury Lodge, 5. Sheepwash Farmhouse and buildings, 6. Land at Sheepwash Farm).

Q: Where are the electric charging points for cars and bikes?

A: Mark advised that this information is available on the internet; an information leaflet is attached to these minutes which list sites available free of charge but the public must bring their own charger and current converter. Additionally, on the IWC website there are 5 electric car charging points in Council Car Parks: 1. Chapel Street, Newport, 2. Quay Road, Ryde, 3. Cross Street, Cowes, 4. St Johns Place, Ryde, 5. Moa Place, Freshwater.

Q: Where are LPG filling points?

A: Still to be researched.

At the end of these minutes is a list of “other matters” that members of the public raised with the LAF at the show.

5. Chairman’s Update

Stick & Flick LAF’s have been asked to provide their views on this subject with the goal of formulating a national policy. Members wish to see a copy of the IW Dog Fouling Order before commenting further:

Action - Dog Fouling Order attached to these minutes (**note the exemption of Forestry Commission land is a standard national exemption**).

Raising Funds LAF’s can raise funds from lottery or EU grants. This money can then be used to undertake schemes. Members unanimously voted to support this idea and realise that if this proceeds and the necessary bank accounts are set up there would need to be commitment to project manage schemes so that they are fully implemented.

Feedback regarding train access: A complaint was received because at peak times, during term time, on the Island's trains i.e. (school trains) 7.52am Ryde Esplanade – Shanklin and 3.18pm Shanklin - Ryde Esplanade, a couple of travellers with push bikes were denied entry. Nothing can be done as this is standard procedure across the rail network when the trains are too full and it is not possible to safely accommodate push bikes.

Cattle – National Health and Safety statistics regarding cattle attacks between years 2000 – 2016 Human related deaths = 74

Nationally, 18 members of the public have been killed as a result of cattle attacks when using a rights of way network. The remaining 56 were farmers and landowners. In comparison, 17 people have been killed as a result of dog attacks.

(For information, a copy of the Health & Safety Executive's advice sheet for landowners and farmers regarding cattle and public access is at the end of these minutes).

Caves – The government proposes to change the rules regarding public access to caves. They wish to restrict public access by only allowing access to the point sunlight can reach inside the cave entrance. This will rule out most caving activities and it may also be interpreted to restrict access to manmade tunnels. As the LAF's main function is to promote and improve public access for open air recreation, this restriction cannot be supported by this LAF. Mark has calculated that on the Island there are 12 shore level caves with access and a few inland e.g. the one at St Lawrence.

Fly tipping & burying of Waste – Plaster board can only be accepted at Lynbottom tip with a permit; it cannot be disposed of in household black bins. There are reports that plaster board is being placed in public waste bins and fly tipped on the network.

Mark Earp had been led to believe that there was a memorandum of understanding between IWC, Island Roads and the Environment Agency in respect of the process taken once a fly tip is spotted and reported, but when he had asked for a copy of this document it has not been forthcoming. Cllr Fuller advised that the IWC is currently formulating an understanding of who does what and will be drafting a document to this effect (and this maybe the memorandum of understanding document Mark thought already existed).

Information about plasterboard from IWC Website:

Plasterboard

Plasterboard is a hazardous substance which can cause serious health and environmental implications if it is not treated correctly and can only be disposed of at Lynnbottom Recycling Centre.

The Isle of Wight Council does not collect plasterboard from households.

If a householder wishes to dispose of domestic plasterboard at Lynnbottom Recycling Centre a reference number must be obtained before disposal, this is available once an online plasterboard disposal permit form has been completed.

The online form generates a unique reference number which can either be printed, given verbally or shown via a smart phone screen and provided to the weighbridge operator.

Permits are restricted to 60kg free of charge per household in a 6 month period. If a household wishes to dispose in excess of the 60kg at Lynnbottom Recycling Centre, there will be a charge of £0.15 per additional kilo. Please note payment can only be made by credit or debit card as cash payments cannot be accepted. Cheques may be used, made payable to 'Amey LG Ltd', although a cheque guarantee card (i.e. a debit or credit card) will be required to be shown at the time of payment.

Sheets or off-cuts of plasterboard from domestic sources can only be disposed of in the appropriate container at Lynnbottom Recycling Centre. Staff on site will direct the householder to the correct container in which to deposit their plasterboard.

Sustrans – Tom Ranson from Sustrans will be attending the February meeting to give an update regarding promoting and encouraging cycling to school.

Neil Morey – Neil is the Public Rights of Way Maintenance Officer who has worked tirelessly for years to build up good relationships with landowners. Neil is considering retirement.

Action- LAF to write a letter of thanks to Neil for all his hard work over the years as it has been very much appreciated.

Coastal Path – Mark Earp has had quite a few landowners contacting him about Natural England's forthcoming National Coastal Path scheme. He has advised them that he knows nothing more than that the information available on the England Coast Path website:

<https://www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast>

Or

<http://www.nationaltrail.co.uk/england-coast-path>

6. Access to Public Rights of Way for the disabled

Mark gave a short presentation on disabled access to the countryside, using new off road / all-terrain electric wheelchairs which are able to cope over a large range of rough conditions and have a long battery life.

Following this presentation it was decided that if the LAF were to set itself to apply for grant funding it would concentrate on trying to implement schemes to improve mobility and wheel chair access, such as improved width of footbridges, removal of stiles or restrictive gates to replace with mobility compatible gates and the construction of ramped access.

(Clarification was requested on the rules for using electric wheelchairs on Public Footpaths / Bridleways and a copy of the GOV.UK rules are attached to these minutes).

7. User Group Updates

- **Rights of Way – Darrel Clarke** (Darrel could not attend the meeting but had provided an update as below)

Path Orders:

Creation Orders have been made to upgrade Public Footpaths BB5 and BB34 to bridleway status. Notice period ends on 9th December 2016.

Diversion Order made to divert Public Bridleway A41 at Blackwater/Rookley to provide an improved and safer access point onto Blackwater Hollow. Notice period ends on 16th December 2016.

Permissive Paths:

Stone Farm: Thanks to the negotiation of the IW Bridleway Group (Tricia Merrifield) a new permissive bridleway route has been proposed and agreed by a landowner. This will provide a link between Byway A43/Blackwater Shute to the cycle track at Blackwater. Formal permissive agreement underway with Legal Services.

Westover Farm: The legal complication has now been resolved and the Permissive Path Agreement should be completed in the very near future – hopefully this side of Christmas.

Dedications:

Homstead Farm, Ningwood. The issue that one landowner had which was causing delay has been resolved. The dedication agreement is out to all parties for signing.

Brading and Nunwell Down Bridleways: These routes over Council owned land are now formally dedicated as bridleways.

Paths reopened:

V93a beach access to Orchard Bay, Ventnor.

Temporary closures:

V124 (Undercliff Drive to Binnel Bay) has been inspected. Works expected to take place in the summer of 2017 to reopen.

N155 (Robin Hill). Dispute still ongoing between Robin Hill and Westridge. ROW has decided to continue to assess the situation over the winter to see if any further landslides occur. If the land remains stable over the winter a health and safety assessment will then take place to consider reopening.

Definitive Map Modification Order Applications:

Path at Forelands (BB40). At the Committee Meeting held on 22nd November the Panel

RESOLVED:

(I) *THAT in relation to ground one in the report to Committee, in agreement with the conclusion at paragraph 100 of the report, to reject the application and that no order should be made.*

(II) *THAT in relation to ground two in the report to Committee, in agreement with the conclusion at paragraph 101 of the report, to reject the application and that the Committee also recommends that as soon as practicably possible the council consults on and thereafter makes (with landowner consent) a public path diversion order pursuant to the Highways Act 1980 providing for a new alignment of public footpath BB40.*

For full details refer to the IWC website Appeals Sub Committee 22/11/16 for the agenda, papers & minutes

Agenda: <https://www.iwight.com/Meetings/committees/Appeals%20Sub%20Committee/22-11-16/agenda.pdf?636166969077141223>

Papers: <https://www.iwight.com/Meetings/committees/Appeals%20Sub%20Committee/22-11-16/Paper%20A.pdf>

Minutes: <https://www.iwight.com/Meetings/committees/Appeals%20Sub%20Committee/22-11-16/minutes.pdf>

Other:

RSPB Permissive Path (running parallel with Embankment Road, Bembridge). Many queries and press regarding this matter and a proposal to make an application to add it to the Definitive Map as a public right of way based on long usage. Matter raises many complex rights of way laws/issues. Rights of Way have agreed to hold meeting with St Helen's Parish Council, Councillor Bacon and the RSPB to discuss matter – taking place next week.

RSPB permissive route map at the end of these minutes.

NFU Conservation Award. The ROW Maintenance Officer, Neil Morey has been awarded the NFU Conservation Award for his many years maintaining the Island's rights of way. It's his local

knowledge, “can-do” attitude and willingness to pitch in and get the job done that keeps the many miles of footpaths and bridleways clear and gates operating.

His name came up at a local Committee meeting when it was mentioned that he might be retiring and the farming community wanted to ensure that his hard work is recognised. Liaising with farmers and landowners and the local knowledge of which ROW goes where and through who’s land is invaluable.

The Island prides itself on the amazing footpaths and bridleways which contribute so much to the tourist industry on the Island. Neil is just one man but his work has enabled thousands of people to enjoy the countryside.



Neil Morey accepting his award from NFU's Caroline Knox

- **IW Bridleways Group – Tricia Merrifield**

Many projects coming to fruition with thanks to the ROW team. The Bridleways Group are encouraging their members to report problems on the ROW network, with gates being one of the biggest problems for equestrians.

The British Horse Society undertook a gate survey the results of which are available from their website.

<http://www.bhs.org.uk/our-charity/press-centre/news/july-to-december-2016/results-of-2015-self-closing-bridlegates-trial>

Penny Edwards (Carriage driving) has asked what Bridleways / Cycletracks have the potential to be upgraded to restricted byways? Tricia has said she will ask members of the IW Bridleways Group and IW Horse community via social media to provide their comments and suggestions.

ACTION : Tricia to get feedback from her members of possible routes which could be upgraded

- **Cycle Wight – Alex Lawson**

2017 Cycling Festival - This was discussed at the last Cycle Wight meeting. Insurance is crucial to arranging a cycling festival and previously the insurance was arranged via the IWC Events Team (which no longer exists). Unless Visit Wight back a cycling festival it is unlikely there will be one for 2017. However, at the last Cycle Wight meeting GPSports outlined plans for a cycling festival from 23 September to 1 October 2017, with the first weekend being based at Northwood House and the second at Cheverton Farm, with rides arranged by local clubs during the week. In order to do this a limited company would need to be set up to arrange the insurance and it would need to charge a small fee per event to cover the insurance costs. However, at the Cycle Forum a contrary view was expressed that the control of the “IW Cycling Festival” brand should be passed to a charity and not to a commercial entity.

GPSport website: <http://www.gpsport.org/>

IWC is preparing an “**Integrated Transport Delivery Plan**” for the Island. This is believed to involve projects which entail capital. Cyclewight have talked to Ollie Boulter who is a Team Leader in the Planning Team and provided him with the Cyclewight list of projects these are Island wide proposals under the headings Rural, Urban, Cyclist Safety, Sport & Tourism.

Cyclewight are preparing proposals to constitute an **IWC Cycling Strategy**. Other Local Authorities have published such strategies and Cyclewight believe the IWC should do the same.

IWC should have S106 money, especially for the Newport area, for multi-use routes i.e for the Gunville Greenway.

Solent Local Enterprise Partnership (SLEP) – Did the IWC respond to the SLEP with respect to importance of capital funding for **sustainable** transport? Cllr Medland advised that Chris Wells (who left the Council in March 2016, and was the IWC Policy Officer) had put ideas to the SLEP but they were rejected as the schemes were not large enough to be of interest to the SLEP as the SLEP at the time were interested in multi million pound road / motorway junction improvements etc. However, the SLEP have recently been criticised about the lack of sustainable travel schemes to reduce congestion and pollution and will be coming to the Island to make a presentation. Members asked that the IWC Cllrs be tougher on the SLEP to fight the cause of the Island - the Leader of the Council (Jonathan Bacon) is on the SLEP board.

SLEP website: <http://solentlep.org.uk/>

ACTION: Cllr Fuller to make Cllr Bacon aware of concerns

- **IW Ramblers – Mike Slater**

Mike advised the group that the Island’s Ramblers have been working on two main projects: The Ramblers submission for the Rights of Way improvement Plan (ROWIP) in which they have identified 10 key points and opportunities to improve links.

And

The pre-survey of the Coastal Path, the findings of which will be presented to Natural England (NE). The Ramblers had broken the Island down into 11 stretches of Coastline and these surveys have now been completed, with the results being consolidated into a report. However, despite previously agreeing to circulate this report to the LAF (which it will still be made available) the timing of its circulation will be controlled so as not to compromise any conversations or recommendations NE have at a later stage with landowners. Mike reminded the LAF members that any group or organisation has the opportunity to undertake their own survey or make recommendations to NE prior to them starting their review.

- **IW 4X 4 Club – Steve Darch**

Steve advised that in September the 4X4 group undertook their annual survey of the Byways network. Generally it was good and the hedges well cut back. A leaning tree was tangled up in others over Blind Lane (BS101) and a request has been made to the RoW maintenance team to inspect and clear this.

Tennyson Trail - 4X4 club will be formally contacting the National Trust and RoW to see if there is any way to work towards getting a variation to the Tennyson Trail Traffic Regulation Order which permanently prohibits Motor Vehicles from the series of byways which run from Carisbrooke to Freshwater Bay (commonly known as the Tennyson Trail). Within this order there is a provision for blue badge holders and drivers of taxis or community vehicles to apply for a permit card to allow motor vehicle access between 1 April to 30 September annually at a maximum speed of 10mph. The 4X4 club wish to explore the possibility of extending the permit card system to allow off road driving.

- **LANDOWNER**

No update as neither Belinda nor John could attend today’s meeting

8. Rights of Way Improvement Plan (ROWIP) update

Chris Gregory from the consultants, A to There, could not attend the meeting but post meeting he has provided the following update:

During summer 2016 A-To-There Ltd engaged with members of the public and with stakeholder organisations with the purpose of reassessing the rights of way network on the Isle of Wight and reviewing the Rights of Way Improvement Plan for the Island, as required under the CROW Act. An on-line survey generated 242 responses from individual members of the public, 16 stakeholder organisations responded to a more in-depth survey and/or submitted comments, and key user groups provided updates on some of the details in the Plan.

The responses show that:

- local rights of way meet the needs of the public, and that the provision of rights of way has, if anything, improved over the last 10 years. The promoted long-distance trails are well-used.
- There are high levels of satisfaction with the overall provision of rights of way, and access to all types of land is considered to be good or reasonable. However, whilst provision is good for walkers, it is less good for “higher rights” users i.e. cyclists, equestrians and motorised users. The suitability of rights of way for people with disabilities and other specific needs is generally considered to be inadequate.
- All of the main aims of the Rights of Way Improvement Plan are still relevant today; they are given a high or medium priority by the public and to stakeholders. Maintaining a high quality rights of way network is of highest importance, followed by the development of a programme of achievable improvements and of a network that benefits as wide a range of users as possible.

The results suggest that it would be beneficial to update the Rights of Way Improvement Plan at a strategic level and the Council is considering options for achieving this by the end of March 2017. Such an update, in reflecting the priorities of the public and stakeholders as found through this engagement work, should make possible the focusing of available resources where they will have most benefit.

9. Any Other Business

It was asked if the members, especially those linked with cycling, can remind other cyclists that when approaching horses from the rear to shout out to make them aware that you will be passing (don't ring a bell for a horse). Horses are used to voices and a simple shout will be enough to prepare them for when a bicycle passes.

Cycling code of conduct and courtesy when in large groups on the road. A request was made for Cyclewight to put out a reminder to their members and event organisers to ask that when cycling in groups on the road to be aware of the traffic queues behind them and be prepared to pull over and allow traffic to pass safely.

Next LAF meeting will be at 4pm on Thursday 2 February 2017

@ St Johns Church Hall, Drake Road, Newport

Future Dates

6 April 2017

6 July 2017

7 September 2017

7 December 2017

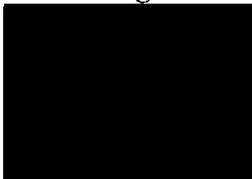
ANDREW TURNER MP



HOUSE OF COMMONS

LONDON SW1A 0AA

Mark Earp Esq
Isle of Wight Local Access Forum



29 November 2016

Our Ref: AJT/KH/EarpM/03

Dear Mr Earp

WOODHOUSE COPSE, BROOKS COPSE ROAD, WHIPPINGHAM, ISLE OF WIGHT

Please find enclosed a reply from Wendy Perera, Head of Place at the Isle of Wight Council and Dr Terese Coffey MP, Parliamentary Under Secretary of State at the Department for Environment Food and Rural Affairs on the matters you raised with me.

I do hope these responses go some way to clarify what is being done with regards to Woodhouse Copse. If you feel that these letters contains any major errors or that I can be of any further help, please do let me know.

Yours sincerely



Andrew Turner
Member of Parliament for the Isle of Wight

Andrew Turner: Member of Parliament for the Isle of Wight

PLEASE REPLY TO: Riverside Centre, The Quay, Newport, Isle of Wight PO30 2QR
Tel: 01983 530808 Fax: 01983 822266 E-mail: mail@islandmp.org

28 NOV 2016



Department
for Environment
Food & Rural Affairs

Dr Thérèse Coffey MP
Parliamentary Under Secretary of State

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Andrew Turner MP
Riverside Centre
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PO30 2QR

Your ref: AJT/DK/EarpM/03
Our ref: MC416542/JS

24 November 2016

Dear Andrew,

Thank you for your letter of 7 November to the Secretary of State on behalf of your constituent, Mr Mark Earp, the Chairman of the Isle of Wight Local Access Forum, about the sale of forestry land. I am replying as the Minister responsible for this policy area.

Previously, it was Government policy for forest land and other properties to be bought and sold by the Forestry Commission to rationalise the estate, assist efficient management and help deliver a wide range of public benefits. Around 7,500 hectares of land were sold in England between 2001 and 2010 and, in most cases, that land has been managed by its new owner without significant incident.

All new sales of land on the public forest estate ended in 2011. Since then, land was selected for disposal using criteria endorsed by the Forestry Minister of the day. The criteria were used to identify land making a relatively limited contribution to Government objectives and providing limited value from public ownership in the delivery of public benefits. There are safeguards in place that apply to all woodland owners and are designed to prevent inappropriate woodland management. For example, tree felling is controlled under the provisions in the Forestry Act 1967 which requires the owner, other than where an exemption applies, to have a felling licence to remove any more than 5 cubic metres of timber in any calendar quarter.

The Government made a manifesto commitment in 2015 to keep the public forest estate in trust for the nation and we are meeting that commitment.

Yours sincerely,

DR THERESE COFFEY MP

RECEIVED

16 NOV 2016

Cept-Intc



Mr A Turner MP
Riverside Centre
The Quay
Newport
Isle of Wight
PO30 2QR

Wendy Perera, Head of Place
Seaclose Offices, Fairlee Road, Newport, Isle
of Wight, PO30 2QS

Tel (01983) 823552
Email wendy.perera@iow.gov.uk
Web iwight.com/planning

IWC Ref E/26653/A
Your Ref AJT/DK/EarpM/03

Contact Wendy Perera
Date 16th November 2016

Dear Mr Turner

Subject: Woodhouse Copse, Brooks Copse Road, Whippingham, Isle of Wight

I refer to your letter dated 07 November 2016 and which was addressed to John Metcalfe, who has asked me to reply on his behalf.

I can confirm there is an on-going enforcement case regarding Woodhouse Copse. An Enforcement Notice was served on 3rd June 2014 for the material change of use of the land at Woodhouse Copse to a mixed use of Forestry and the siting of tented structures, log built structures and teepees for residential accommodation together with the siting and storage of domestic paraphernalia on the land and siting of solar panels. The Notice required the residential use of tented and log built structures and teepees to cease, the removal of said structures and solar panels and for the domestic paraphernalia to be removed from the land within 3 months of the notice coming into effect. An appeal was lodged against the service of the Notice before the effective date of the 15th July 2014. The appeal was determined by the Independent Planning Inspectorate and dismissed on the 8th June 2015.

The 3 month compliance period came into force from the date of the appeal decision; compliance with the Enforcement Notice requirements was therefore due no later than the 8th September 2015.

Compliance with the Enforcement Notice was not achieved by this date. Officer's requested the Enforcement Notice to be complied with; however as of the 29 September 2016 compliance with the notice remained outstanding. The IWC commenced prosecution proceedings for the non-compliance with the Enforcement Notice. Mr Graeme Kirk was therefore summoned to appear in the magistrates' court on 10th October for the on-going offence of failure to comply with the planning enforcement notice. Mr Kirk was convicted in his absence for failure to comply with a planning enforcement notice contrary to section 179(2) of the Town and Country Planning Act 1990. He was fined £660, with a surcharge of £66 and we were awarded £500 in costs, making a total of £1,226 for which a collection order was made.

Future failure to comply with planning legislation and or the enforcement notice will be assessed by the LPA and further action may result as necessary including further prosecution or further enforcement notices.

Cont ...

The Council is the statutory Access Authority for Open Access Land; however it is not aware that the current woodland activities are prohibiting public access to the woodland. The land remains accessible to the boundary with Woodhouse Copse Road.

I hope my letter is helpful.

Yours sincerely



Wendy Perera
Head of Place

This information is available in Braille, large print, tape and community languages from the above offices and Typetalk calls are welcome.

The Isle of Wight Council
“Setting Local Speed Limits 2014”
Policy draft for decision

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1. INTRODUCTION

This new (2014) Isle of Wight Council speed limit policy is based upon the guidance received from the Department for Transport of the same name.

The policy needs to be set in the context of the new Highways PFI contract that commenced in April 2013 and will improve the entire highway network to a much higher general standard than currently exists with the investment of some £480m grant from DfT during the first 7 years of the contract term referred to as the Core Investment Period (CIP).

The business case for the PFI depicts improvements not only in the structure and integrity of the highway network but also increases in road safety, improved journey times and reductions in noise levels.

Until a full evaluation of the impact of the CIP has been conducted any changes to speed limits, therefore, will need to be considered very carefully to ensure best value for money.

2 KEY POINTS OF THE POLICY

- 2.1 Speed limits should be evidence-led and self-explaining and seek to reinforce people's assessment of what is a safe speed to travel. They should encourage self-compliance.
- 2.2 Speed limits should be seen by drivers as the maximum rather than a target speed.
- 2.3 Highway authorities such as the Isle of Wight Council set local speed limits in situations where local needs and conditions suggest a speed limit which is lower than the national speed limit.
- 2.4 This policy is to be used for setting all local speed limits on single and dual-carriageway roads in both urban and rural areas.
- 2.5 This policy should also be used as the basis for assessments of local speed limits, for developing route management strategies and for developing the speed management strategies which can be included in the Local Transport Plan.
- 2.6 Highway authorities are asked by the Department for Transport to keep their speed limits under review with changing circumstances, and to consider the introduction of more 20 mph limits and zones, over time, in urban areas and built-up village streets that are primarily residential, to ensure greater safety for pedestrians and cyclists,

using the criteria in Section 6.

- 2.7 The Isle of Wight Council would like to see a transport system across the island that is an engine for economic growth, and one that is also more sustainable, safer, and improves quality of life in our communities. It is clear how setting appropriate speed limits with the aim of achieving safe and appropriate driving speeds can play an important role in supporting this vision.
- 2.8 This policy sets out the framework that the Isle of Wight Council, as Highway Authority, should follow when setting and reviewing local speed limits.
- 2.9 Roads should be designed so that mistakes made by road users do not result in death or serious injury. Effective speed management is part of creating a safe road environment that is fit for purpose. It involves many components designed to work together to require, encourage and help road users to adopt appropriate and safe speeds below the speed limit.
- 2.10 As well as being the legal limit, speed limits are a key source of information to road users, particularly as an indicator of the nature and risks posed by that road both to themselves and to all other road users.
- 2.11 Speed limits should, therefore, be evidence-led and self-explaining, and seek to reinforce people's assessment of what is a safe speed to travel and encourage self-compliance. They should be seen by drivers as the maximum speed rather than as a target speed at which to drive irrespective of conditions.
- 2.12 It is often not appropriate or safe to drive at the maximum speed limit.
- 2.13 The overall speed limit framework, including the setting of national limits for different road types, and which exceptions to these general limits can be applied, is the responsibility of the government. The three national speed limits are:
- the 30 mph speed limit on roads with street lighting (sometimes referred to as Restricted Roads)
 - the national speed limit of 60 mph on single carriageway roads
 - the national speed limit of 70 mph on dual carriageways and motorways.
- 2.14 These national limits are not, however, appropriate for all roads. The speed limit regime enables highway authorities to set local speed limits in situations where local needs and conditions suggest a speed limit which is different from the respective national speed limit.

- 2.15 Local speed limits are determined by highway authorities having regard to guidance issued by the Department for Transport as well as the appropriate legislation, including the Traffic Signs Regulations and General Directions 2002 (TSRGD 2002)
- 2.16 The Department for Transport asks highway authorities to:
- keep their speed limits under review with changing circumstances;
 - consider the introduction of more 20 mph limits and zones, over time, in urban areas and built-up village streets that are primarily residential, to ensure greater safety for pedestrians and cyclists, using the criteria in Section 6.
- 2.17 Highway authorities continue to have the flexibility to set local speed limits that are appropriate for the individual road, reflecting local needs and taking account of all local considerations.
- 2.18 The Department for transport guidance makes it clear that local speed limits should not be set in isolation, but as part of a package with other measures to manage vehicle speeds and improve road safety.
- 2.19 Setting speed limits at the appropriate level for the road, and ensuring compliance with these limits, play a key part in ensuring greater safety for all road users.
- 2.20 The relationship between speed and likelihood of collision as well as severity of injury is complex, but there is a strong correlation.
- 2.21 This updated policy provides part of the framework for speed limits, where the Isle of Wight Council can set speed limits on their roads below the national limit, in response to local risk factors and conditions. It will help ensure appropriate and consistent speed limits, which will contribute to reducing the number of road deaths, as well as casualties overall; tackling pedestrian and cyclist casualties in towns and cities; improving the safety on rural roads; and reducing variations in safety from area to area and road to road.
- 2.22 Unless a speed limit is set with support from the local community, the police and other local services, with supporting education, and with consideration of whether engineering measures are necessary to reduce speeds; or if it is set unrealistically low for the particular road function and condition, it may be ineffective and drivers may not comply with the speed limit.
- 2.23 If many drivers continued to travel at unacceptable speeds, the risk of collisions and injuries would increase and significant and avoidable enforcement activity would be needed.

3 THE UNDERLYING PRINCIPLES OF LOCAL SPEED LIMITS

- 3.1 It is important that highway authorities and police forces work closely together in determining, or considering, any changes to speed limits.
- 3.2 The full range of speed management measures should always be considered before a new speed limit is introduced.
- 3.3 The underlying aim should be to achieve a 'safe' distribution of speeds.
- 3.4 The key factors that should be taken into account in any decisions on local speed limits are:
- history of collisions;
 - road geometry and engineering;
 - road function;
 - Composition of road users (including existing and potential levels of vulnerable road users);
 - existing traffic speeds; and
 - road environment.
- 3.5 While these factors need to be considered for all road types, they may be weighted differently in urban or rural areas. The impact on community and environmental outcomes should also be considered.
- 3.6 The minimum length of a speed limit should generally be not less than 600 metres to avoid too many changes of speed limit along the route.
- 3.7 Speed limits should not be used to attempt to solve the problem of isolated hazards, such as a single road junction or reduced forward visibility, e.g. at a bend.
- 3.8 A study of types of crashes, their severity, causes and frequency, together with a survey of traffic speeds, should indicate whether an existing speed limit is appropriate for the type of road and mix of use by different groups of road users, including the presence or potential presence of vulnerable road users (including people walking, cycling or riding horses, or on motorbikes), or whether it needs to be changed.
- 3.10 Local residents may also express their concerns or desire for a lower speed limit and these comments should be considered.
- 3.11 Where limits for air quality are in danger of being exceeded, compliance with those air quality limits could be an important factor in the choice of speed limit.

- 3.12 But depending on the individual circumstances the imposition of a speed limit will not always be the solution. And the visible characteristics of a road affect the speed that a driver chooses: to be effective, the reasons for a limit need to be apparent.
- 3.13 It may well be that a speed limit need not be changed if the collision rate can be improved or wider quality of life objectives can be achieved through other speed management measures, or other measures .
- 3.14 These alternative measures should always be considered before proceeding with a new speed limit.
- 3.15 Where there is poor compliance with an existing speed limit on a road or stretch of road the reasons for the non-compliance should be examined before a solution is sought.
- 3.16 If the speed limit is set too low for no clear reason and the risk of collisions is low, then it may be appropriate to increase the limit. If the existing limit is in place for a good reason, solutions may include engineering measures or changes to the road environment to ensure it better matches the speed limit, or local education and publicity.
- 3.17 Enforcement may also be appropriate, but should be considered only after the other measures and jointly with the police force.
- 3.18 Another key factor when setting a speed limit is what the road looks like to the road users. Drivers are likely to expect and respect lower limits, and be influenced when deciding on what is an appropriate speed, where they can see there are potential hazards, for example outside schools, in residential areas or villages and in shopping streets.
- 3.19 A principal aim in determining appropriate speed limits should, therefore, be to provide a consistent message between speed limit and what the road looks like, and for changes in speed limit to be reflective of changes in the road layout and characteristics.
- 3.20 The following will be important factors when considering what an appropriate speed limit is:
- history of collisions, including frequency, severity, types and causes;
 - road geometry and engineering (width, sightlines, bends, junctions, accesses and safety barriers etc.);
 - road function (strategic, through traffic, local access etc.);

- Composition of road users (including existing and potential levels of vulnerable road users);
 - existing traffic speeds; and
 - road environment, including level of road-side development and possible impacts on residents (e.g. severance, noise, or air quality).
- 3.21 Before introducing or changing a local speed limit, traffic authorities will wish to satisfy themselves that the expected benefits exceed the costs.
- 3.22 Many of the costs and benefits do not have monetary values associated with them, but highway authorities should include an assessment of the following factors:
- collision and casualty savings;
 - conditions and facilities for vulnerable road users;
 - impacts on walking and cycling and other mode shift;
 - congestion and journey time reliability;
 - environmental, community and quality of life impact, such as emissions, severance of local communities, visual impact, noise and vibration; and
 - costs, including of engineering and other physical measures including signing, maintenance and cost of enforcement.
- 3.23 Different road users perceive risks and appropriate speeds differently, and drivers and riders of motor vehicles often do not have the same perception of the hazards of speed as do people on foot, on bicycles or on horseback. Fear of traffic can affect peoples' quality of life and the needs of vulnerable road users must be fully taken into account in order to further encourage these modes of travel and improve their safety.
- 3.24 Speed management strategies should seek to protect local community life.
- 3.25 In order to ensure compliance with a new lower local limit, as well as make it legally enforceable, it is important that the limit is signed correctly and consistently. The introduction of a new Speed Limit Order must coincide with the signing of the new limit.
- 3.26 The Isle of Wight Council must ensure that speed limits meet the legislative process and the requirements of the TSRGD.
- 3.27 Any new limit should also be accompanied by publicity and, where appropriate,

effective engineering changes to the road itself. Without these measures, the new limit is unlikely to be fully complied with.

- 3.28 Mean speed and 85th percentile speed (the speed at or below which 85% of vehicles are travelling) are the most commonly used measures of actual traffic speed.
- 3.29 The Isle of Wight Council will continue to routinely collect and assess both, but mean speeds should be used as the basis for determining local speed limits.
- 3.30 For the majority of roads there is a consistent relationship between mean speed and 85th percentile speed. Where this is not the case, it will usually indicate that drivers have difficulty in deciding the appropriate speed for the road, suggesting that a better match between road design and speed limit is required. It may be necessary to consider additional measures to reduce the larger than normal difference between mean and 85th percentile speeds or to bring the speed distribution more in line with typical distributions.
- 3.31 The aim for local speed limits should be to align the speed limit to the conditions of the road and road environment.
- 3.32 The minimum length of a speed limit should generally be not less than 600 metres to avoid too many changes of speed limit along the route. In exceptional circumstances this can be reduced to 400 metres for lower speed limits, or even 300 metres on roads with a purely local access function, or where a variable 20 mph limit is introduced, for example outside a school. Anything shorter is not recommended.
- 3.33 The length adopted for a limit will depend on the limit applied and also on the conditions at or beyond the end points. The terminal points of speed limits need to take account of the particular local circumstances, such as steep gradients, sharp bends, junctions, access roads, humpbacked bridges or other hazards, and also good visibility of the signs, and an extension of the speed limit may be needed to ensure this.
- 3.34 For consistency within routes, separate assessments should be made for each length of road of 600 metres or more for which a different speed limit might be considered appropriate. When this is completed, the final choice of appropriate speed limit for individual sections might need to be adjusted to provide reasonable consistency over the route as a whole.
- 3.35 Occasionally it may be appropriate to use a short length of 40 mph or 50 mph speed limit as a transition between a length of road subject to a national limit and

another length on which a lower limit is in force, for example on the outskirts of villages or urban areas with adjoining intermittent development. However, the use of such transitional limits should be restricted to sections of road where immediate speed reduction would cause risks or is likely to be less effective.

- 3.36 Where several roads with different speed limits enter a roundabout, the roundabout should be restricted at the same level as the majority of the approach roads. If there is an equal division, for example where a 30 mph road crosses one with a limit of 40 mph, the roundabout itself should take the lower limit.

4 THE LEGISLATIVE FRAMEWORK

- 4.1 All speed limits, other than those on restricted roads, should be made by order under Section 84 of the Road Traffic Regulation Act 1984.
- 4.2 Any speed limits below 30 mph, other than 20 mph limits or 20 mph zones, require individual consent from the Secretary of State.
- 4.3 Unless an order has been made and the road is signed to the contrary, a 30 mph speed limit applies where there is a system of street lighting furnished by means of lamps placed not more than 200 yards apart.
- 4.4 The Isle of Wight Council has a duty to erect and maintain prescribed speed limit signs on their roads in accordance with the Traffic Signs Regulations and General Directions 2002 (TSRGD 2002).
- 4.5 If The Isle of Wight Council wishes to deviate from what is prescribed in signing regulations, they must first gain the Secretary of State's authorisation.
- 4.6 It is not permitted to erect different speed limit signs relating to different classes of vehicle.
- 4.7 Vehicle-activated signs must not be used as an alternative to standard static signing, but as an additional measure to warn drivers of a potential hazard or to remind them of the speed limit in force.
- 4.8 Most road traffic law pertaining to speed limits is contained in the Road Traffic Regulation Act 1984 (RTRA 1984).
- 4.9 Other relevant legislation includes the Highways Act 1980, in particular Sections 90A-F concerning the construction and maintenance of road humps and Sections 90G-I concerning other traffic-calming works.
- 4.10 Part VI of the RTRA 1984 deals specifically with speed limits, with Sections 81-84 dealing with different speed limits and the speed limit order-making process.

Section 82(1)(a) defines a restricted road in England and Wales as a road on which there is provided "a system of street lighting furnished by means of lamps placed not more than 200 yards apart". Section 81 makes it an offence for a person to drive a motor vehicle at a speed of more than 30 mph on a restricted road.

- 4.11 The establishment of speed limits is also a method through which legal sanctions can be brought to bear on those who exceed the limit set on a particular road. It is therefore important to preserve carefully all records relating to the making and validity of a speed limit and speed limit signs.
- 4.12 All speed limits, other than those on restricted roads or special roads (a highway which is a special road in accordance with s 16 of the Highways Act 1980), should be made by order under Section 84 of the RTRA 1984. This includes the making of a 30 mph speed limit on an unlit road.
- 4.13 All speed limits other than the national limits are made by speed limit order.
- 4.14 The Isle of Wight Council should comply with the consultation procedures and must, as a minimum, follow the full consultation procedure set out in legislation, before any new speed limit is introduced.
- 4.15 Section 82(2) RTRA 1984 (as amended) gives highway authorities powers to remove restricted road status, and give restricted road status to roads which are not restricted. This should be used only to reinstate restricted road status in those cases where a road which has a system of street lighting has previously had its restricted road status removed.
- 4.16 If a road with street lighting has a 40 mph limit and this is to be reduced to 30 mph, the 40 mph order under Section 84 should be revoked. Assuming the street lamps are no more than 200 yards apart, the road will be a restricted road by virtue of section 82(1)(a) RTRA.
- 4.17 Similarly, where a speed limit of 30 mph is imposed by order under Section 84 because there is no street lighting, that order should be revoked if street lighting is subsequently provided.
- 4.18 This is considered to be best practice
- 4.19 Any speed limits below 30 mph, other than 20 mph limits or 20 mph zones, require individual consent from the Secretary of State.
- 4.20 Section 11 of the Traffic Signs Regulations and General Directions 2002 (TSRGD 2002), as amended, defines the requirements for the placing of speed-limit repeater signs. This states that speed-limit repeater signs cannot be placed along a road on

which there is carriageway lighting not more than 183 metres apart and which is subject to a 30 mph speed limit. This direction applies regardless of how the speed limit has been imposed.

- 4.21 While increased understanding and acceptance of why a speed limit applies on a certain road will help compliance, drivers are aided by clear, visible and regular signing which enables them unhesitatingly to know what speed limit is in force.
- 4.22 Under Section 85 of the RTRA 1984 it is the duty of the Isle of Wight Council to erect and maintain prescribed speed limit signs on their roads in accordance with the Secretary of State's directions.
- 4.23 The Traffic Signs Regulations and General Directions 2002 prescribe the designs and conditions of use for traffic signs, including speed limit signing, in England,
- 4.24 The Isle of Wight Council should generally follow these Regulations when signing speed limits. If the Council wishes to deviate from what is prescribed, it must first obtain the Secretary of State's authorization and signing that is not in line with the Regulations must not be installed without such authorisation.
- 4.25 Speed limit signs which do not comply with the Regulations or which have not been authorised by the Secretary of State are not lawfully placed.
- 4.26 Where the sign is not lawfully placed, no offence is committed by a person exceeding the signed speed limit and any prosecutions are likely to fail accordingly. The Isle of Wight Council should therefore, remove any unlawful signs, bring them into compliance with the Regulations or obtain authorisation to make them lawful. (Note this is a key component of the Highways PFI contract that will see the removal of all non-compliant signs by the end of the second contract year)
- 4.27 Lower maximum speed limits apply on certain roads to certain traffic classes of vehicles. These are set out in Schedule 6 of the RTRA 1984 and in the Highway Code.
- 4.28 Drivers of these vehicles are expected to be aware of this and follow these special limitations without having to be reminded by specific speed limit signs for particular vehicles.
- 4.29 The legislation does not prescribe the use of countdown markers on the approach to speed limit terminal signs, and research has shown that they generally have little or no effect on vehicle speeds and can add to sign clutter.
- 4.30 Chapter 3 of the Traffic Signs Manual (Department for Transport, 2008) provides guidance to local traffic authorities on best practice when signing speed limits. It

includes tables and pictures to illustrate where speed limit signs should be placed. This complements TSRGD 2002, which sets out the mandatory requirements for signing.

5 URBAN SPEED LIMITS

5.1 KEY POINTS

- 5.1.1 Speed limits in urban areas affect everyone, not only as motorists but as pedestrians, cyclists and residents.
- 5.1.2 As well as influencing safety they can influence quality of life, the environment and the local economy.
- 5.1.3 The national speed limit on street lit roads is 30 mph.
- 5.1.4 Highway authorities can, over time, introduce 20mph speed limits or zones on major streets where there are – or could be - significant numbers of journeys on foot, and/or where pedal cycle movements are an important consideration, and this outweighs the disadvantage of longer journey times for motorised traffic.
- 5.1.5 This is in addition to residential streets in cities, towns and villages, particularly where the streets are being used by people on foot and on bicycles, there is community support and the characteristics of the street are suitable.
- 5.1.6 Where they do so, general compliance needs to be achievable without an excessive reliance on enforcement.
- 5.1.7 Roads suitable for a 40 mph limit are generally higher quality suburban roads or those on the outskirts of urban areas where there is little development.
- 5.1.8 Usually, the movement of motor vehicles is the primary function.
- 5.1.9 In exceptional circumstances, 50 mph limits can be implemented on special roads and dual carriageways, radial routes or bypasses where the road environment and characteristics allow this speed to be achieved safely.
- 5.1.10 Urban roads by their nature are complex as they need to provide for safe travel on foot, bicycle and by motorised traffic. Lower speeds benefit all urban road users, and setting appropriate speed limits is therefore an important factor in improving urban safety. It is on urban roads that the majority of road casualties occur, including 87% of all pedestrian and 83% of all pedal cyclists casualties (DfT, 2011).
- 5.1.11 Collisions typically involve pedestrians and cyclists, including children, and knowledge of the relationship between vehicle speed and injury severity in any

collision must inform decisions on speed limits.

- 5.1.12 Research has shown that the risk of a pedestrian dying in a collision with a car increases slowly up to an impact speed of around 30mph, but at speeds above 30 mph the risk of death increases rapidly.
- 5.1.13 Car occupants also benefit from lower speeds. Research in London showed that the largest casualty reductions associated with 20mph zones were children killed and seriously injured, and car occupants (Grundy et al, 2008)
- 5.1.14 The standard speed limit in urban areas is 30 mph, which represents a balance between mobility and safety factors. However, for residential streets and other town and city streets with high pedestrian and cyclist movement, highway authorities should consider the use of 20 mph schemes.
- 5.1.15 Generally, efforts should be made to promote the use of suitable routes for urban through traffic and to manage the speed of traffic requiring access to residential streets using traffic calming and associated techniques.
- 5.1.16 In many urban centres, main traffic routes often have a mixture of shopping, commercial and/or residential functions. These mixed priority routes are complex and difficult to treat, but the most successful measures have included speed management to keep speed at appropriate levels in the context of both 20 and 30 mph limits and a reassignment of space to the different functions, taking into account the needs of people on foot or on bikes. Sometimes a decision about a road's primary or most important function needs to be taken.

5.2 20 MPH SPEED LIMITS AND ZONES

- 5.2.1 20 mph zones and limits are now relatively wide-spread, with more than 2,000 schemes in operation in England, the majority of which are 20 mph zones.
- 5.2.2 20 mph zones require traffic calming measures (e.g. speed humps, chicanes) or repeater speed limit signing and/or roundel road markings at regular intervals, so that no point within a zone is more than 50 m from such a feature. In addition, a terminal sign indicates the beginning and end of a zone. Zones usually cover a number of roads.
- 5.2.3 20 mph limits are signed with terminal and at least one repeater sign, and do not require traffic calming- 20 mph limits are similar to other local speed limits and normally apply to individual or small numbers of roads but are increasingly being applied to larger areas.
- 5.2.4 Important benefits of 20 mph schemes include quality of life and community

benefits, and encouragement of healthier and more sustainable transport modes such as walking and cycling. There may also be environmental benefits as, generally, driving more slowly at a steady pace will save fuel and reduce pollution, unless an unnecessarily low gear is used.

- 5.2.5 Walking and cycling can make a very positive contribution to improving health and tackling obesity, improving accessibility and tackling congestion, and reducing carbon emissions and improving the local environment.
- 5.2.6 Based on this positive effect on road safety, and a generally favourable reception from local residents, the Isle of Wight Council is able to use its power to introduce 20mph speed limits or zones on major streets where there are – or could be significant numbers of journeys on foot, and/or where pedal cycle movements are an important consideration, and this outweighs the disadvantage of longer journey times for motorised traffic. For example; where there are schools in the road or close by and that affect the usage of the roads albeit only at certain times of the day.
- 5.2.7 This is in addition to residential streets in cities, towns and villages, particularly where the streets are being used by people on foot and on bicycles, there is community support and the characteristics of the street are suitable.
- 5.2.8 Successful 20 mph zones and 20 mph speed limits are generally self-enforcing, i.e. the existing conditions of the road together with measures such as traffic calming or signing, publicity and information as part of the scheme, lead to a mean traffic speed compliant with the speed limit. To achieve compliance there should be no expectation on the police to provide additional enforcement beyond their routine activity, unless this has been explicitly agreed.
- 5.2.9 Evidence from successful 20 mph schemes shows that the introduction of 20 mph zones generally reduces mean traffic speed by more than is the case when a signed-only 20 mph limit is introduced. Historically, more zones than limits have been introduced.
- 5.2.10 A comprehensive and early consultation of all those who may be affected by the introduction of a 20 mph scheme is an essential part of the implementation process. This needs to include local residents, all tiers of local government, the police and emergency services, public transport providers and any other relevant local groups (including for example, groups representing pedestrians, cyclists, drivers, or equestrians).
- 5.2.11 It is important to consider the full range of options and their benefits, both road safety and wider community and environmental benefits and costs, before making a

decision as to the most appropriate method of introducing a 20 mph scheme to meet the local objectives and the road conditions.

5.2.12 20 mph zones are very effective at reducing collisions and injuries.

5.2.13 Research shows that overall average annual collision frequency could fall by around 60%, and the number of collisions involving injury to children could be reduced by up to two-thirds. Zones may also bring further benefits, such as a modal shift towards more walking and cycling and overall reductions in traffic flow, where research has shown a reduction by over a quarter

5.2.14 20 mph zones are predominantly used in urban areas, both town centres and residential areas, and in the vicinity of schools. They should also be used around shops, markets, playgrounds and other areas with high pedestrian or cyclist traffic, though they should not include roads where motor vehicle movement is the primary function. It is generally recommended that they are imposed over an area consisting of several roads.

5.2.15 A 20 mph zone is indicated by 20 mph zone entry and exit signs (TSRGD, diagrams 674 and 675). The statutory provisions (direction 16(1) TSRGD) require that no point within the zone must be further than 50 metres from a traffic calming feature (unless in a cul-de-sac less than 80 metres long).

5.2.16 The Department for Transport has recently made significant changes to facilitate and reduce the cost for providing 20 mph zones in England.

5.2.17 Highway authorities can now place any of the following:

- repeater speed sign (TSRGD diagram 670)
- a speed roundel road marking (TSRGD diagram 1065)
- or a combination of both of these signs
- traffic calming features

5.2.17 At least one traffic calming feature as defined in direction 16(2) TSRGD must be placed in a 20 mph zone and the features and signing must still be placed at intervals not greater than 100 metres: it is not the intention to remove physical features, but to ensure that the most appropriate measure is used to ensure the continuity of the zone.

5.2.18 Only where speeds are already constrained to near the limit should the Isle of Wight Council consider placing the speed limit sign or a roundel marking, in addition to physical features within a zone.

- 5.2.19 20mph speed limits on distributor roads where traffic calming features are not suitable, or for small individual roads or stretches of road, where mean speeds are already at or below 24 mph.
- 5.2.20 Where a 20 mph zone leads into a 20 mph limit, it is important to use the correct signing to indicate this. It is not appropriate to use the sign that indicates the end of a 20 mph zone and the start of a different, higher speed limit. Instead, a standard 20 mph terminal sign (TSRGD 2002, diagram 670) must be used.
- 5.2.21 Research into signed-only 20 mph speed limits shows that they generally lead to only small reductions in traffic speeds. Signed-only 20 mph speed limits are therefore most appropriate for areas where vehicle speeds are already low. This may, for example, be on roads that are very narrow, through engineering or on-road car parking. If the mean speed is already at or below 24 mph on a road, introducing a 20 mph speed limit through signing alone is likely to lead to general compliance with the new speed limit.
- 5.2.22 Every English authority has a traffic sign authorisation which permits them to place a 20mph speed roundel road marking as a repeater sign, without the requirement for an upright sign, to reduce unnecessary signing.
- 5.2.23 The amendments regulations to TSRGD (January 2012) have also provided thresholds below which speed repeater signs are no longer required by Direction 11 of TSRGD, but may still be placed if considered necessary. These thresholds are determined by carriageway length and the applicable speed limit.
- 5.2.24 Where traffic calming measures are placed, they should be signed in line with regulations (TSRGD 2002, diagram 557.1–4 and 883).
- 5.2.25 The Isle of Wight Council has powers to introduce 20 mph speed limits that apply only at certain times of day. These variable limits may be particularly relevant where for example a school is located on a road that is not suitable for a full-time 20 mph zone or limit, such as a major through road.
- 5.2.26 To indicate these limits, variable message signs are available (TSRGD, Regulation 58). To reduce costs and sign clutter, the Department for Transport will consider authorising the placing of a single variable message sign on the approaching traffic lane (rather than signs on both sides of the road) on a case by case basis.
- 5.2.27 The Secretary of State has provided a special authorisation for every English traffic authority to place an advisory part-time 20mph limit sign, with flashing school warning lights. This can be a more cost-effective solution, where appropriate, and reduces the requirement for signing.

5.2.28 Traffic calming involves the installation of specific physical measures to encourage lower traffic speeds. There are many measures available to help reduce vehicle speeds and ensure compliance with the speed limit in force. These are required at regular intervals in 20 mph zones and may be used in 20 mph limits.

5.2.29 As set out above, speed limit traffic signs and/or speed roundel markings can now also be used.

5.2.30 The Highways (Road Humps) Regulations 1999, The Highways (Traffic Calming) Regulations 1999, and Direction 16 of TSRGD 2002 (as amended) give details of the traffic calming measures that meet the requirements for a 20 mph zone.

5.2.31 These calming measures range from more substantive engineering measures to lighter touch road surface treatments and include, for example:

- road humps;
- road narrowing measures, including e.g. chicanes, pinch-points or overrun areas;
- gateways;
- road markings; and
- rumble devices.

5.3 40 MPH AND 50 MPH SPEED LIMITS

5.3.1 30 mph is the standard speed limit for urban areas, but a 40 mph limit may be used where appropriate and, in exceptional circumstances, a 50 mph limit may be considered.

5.3.2 Roads suitable for 40 mph are generally higher-quality suburban roads or those on the outskirts of urban areas where there is little development. They should have good width and layout, parking and waiting restrictions in operation, and buildings set back from the road.

5.3.3 These roads should, wherever possible, cater for the needs of non-motorised road users through segregation of road space, and have adequate footways and crossing places. Alternatively, the Isle of Wight Council should consider whether there are convenient alternative routes available.

5.3.4 In exceptional circumstances a 50 mph limit may also be used on higher-quality roads where there is little or no roadside development and such speeds can be achieved safely.

- 5.3.5 The roads most suited to these higher urban limits are special roads or those with segregated junctions and pedestrian facilities, such as primary distributors. They are usually dual carriageway, ring or radial routes or bypasses that have become partially built up.
- 5.3.4 The Isle of Wight Council will, however, always assess the potential impact upon the local community and non-motorised road users before considering such a limit.

6 RURAL SPEED LIMITS

6.1 KEY POINTS

- 6.1.1 The national speed limit on the rural road network is 60 mph on single carriageway roads and 70 mph on dual carriageways.
- 6.1.2 Rural dual carriageways with segregated junctions and facilities for vulnerable road users would generally be suitable for 70 mph limits. However, a lower limit may be appropriate if, for example, a collision history indicates that this cannot be achieved safely.
- 6.1.3 In 2011, 66% of road deaths in Britain occurred on rural roads, and 51% of road deaths occurred on single rural carriageway roads subject to the National Speed Limit of 60 mph limit.
- 6.1.4 The speed limit on single carriageway rural roads should take into account the history of collisions, the road's function, existing mean traffic speed, use by vulnerable road users, the road's geometry and engineering, and the road environment including level of road-side development.
- 6.1.5 It is government policy that a 30 mph speed limit should be the norm in villages. It may also be appropriate to consider 20 mph zones and limits in built-up village streets.
- 6.1.6 The Department for Transport recommends that the minimum length of a village speed limit should be 600 metres. However, the Isle of Wight Council may lower this to 400 metres, and in exceptional circumstances to 300 metres.
- 6.1.7 The vast majority of the rural road network is subject to the national speed limit of 60 mph on single carriageway roads, and 70 mph on dual carriageways.
- 6.1.8 On many of these roads, the majority of drivers are travelling below – sometimes significantly below the speed limit because of the characteristics of the roads. This is especially evident on the C and Unclassified roads where the geometric characteristics include many narrow roads, bends, junctions and accesses.

- 6.1.9 Rural roads account for 66% of all road deaths, and 82% of car occupant deaths in particular, but only around 42% of the distance travelled. Of all road deaths in Britain in 2011, 51% occurred on National Speed Limit rural single carriageway roads (DfT, 2011).
- 6.1.10 The reduction in road casualties and especially deaths on rural roads is one of the key road safety challenges. Research has assessed the risk of death in collisions at various impact speeds for typical collision types on rural roads. This research suggests that the risk of a driver dying in a head on collision involving two cars travelling at 60 mph is around 90%, but that this drops rapidly with speed, so that it is around 50% at 48 mph
- 6.1.11 Inappropriate speed, at levels below the legal limit but above those appropriate for the road at the time (for example, because of the weather conditions or because vulnerable road users are present), is a particular problem for rural roads.
- 6.1.12 Exceeding the speed limit or travelling too fast for the conditions are reported as contributory factors in 16% of collisions on rural roads. Specifically, inappropriate speed is recorded as a contributory factor in 20% of crashes on minor rural roads with a 60 mph limit.
- 6.1.13 Speed limit changes are therefore unlikely to fully address this problem and should therefore be considered only as one part of rural safety management. Where collision and casualty rates are high, the Isle of Wight Council should first seek to understand the particular types of crashes taking place and their causes, to allow them to choose effective solutions to reduce the risk.
- 6.1.14 If high collision rates persist despite these measures, then lower speed limits may also be considered. Again, to achieve a change in motorists' behaviour and compliance with the limit, supporting physical measures, driver information and publicity or other measures are likely to be required.
- 6.1.15 Such measures could include, for example, the use of vehicle-activated signs (VAS), which have proved particularly effective at the approaches to isolated hazards, junctions and bends in rural areas.
- 6.1.16 There should be no expectation on the police to provide additional enforcement to ensure compliance with a new limit beyond their routine activity, unless this has been explicitly agreed.
- 6.1.17 The aim of speed management actions is to deliver a balance between safety objectives for all road users and mobility objectives to ensure efficient travel, as well as environmental and community outcomes. So every effort should be made to

achieve an appropriate balance between actual vehicle speeds, speed limits, road design and other measures. This balance may be delivered by introducing one or more speed management measures in conjunction with the new speed limits, and/or as part of an overall route safety strategy.

6.1.18 While routine enforcement should normally only be considered after other speed management measures have been considered, there may be occasions where the use of average speed cameras may offer a solution through calming traffic speed over a stretch of road.

6.2 DUAL CARRIAGEWAY RURAL ROADS

6.2.1 Dual carriageway roads with segregated junctions and separate facilities for vulnerable road users are generally subject to and suitable for the National Speed Limit of 70 mph. However, a lower limit may be appropriate if, for example, a collision history indicates that this speed cannot be achieved safely and this risk of collisions cannot be addressed through other engineering measures.

6. SINGLE CARRIAGEWAY RURAL ROADS

6.3.1 In most instances, consideration of collision history, road function, mix of road users including presence of vulnerable road users, road geometry, engineering and environment, and actual traffic speed should enable the Isle of Wight Council to determine the appropriate limit on single carriageway rural roads.

6.3.2 Such roads may have primarily either a through traffic function or a local access function. Both need to be provided safely.

6.3.3 Mobility benefits will be more important for roads with a through-traffic function, while environmental and community benefits are likely to be of greater importance for the local access roads.

6.3.4 There may be many roads below A and B classification that serve a mixed through-traffic and access function. Where that traffic function is currently being achieved without a high collision rate, these roads should be judged as through-traffic roads. If, however, for all or parts of these roads there is a substantial potential risk to vulnerable road users, these sections should be assessed as roads with a local access function.

6.3.5 Within routes, separate assessments should be made for each section of road of 600 metres or more for which a separate speed limit might be considered appropriate. When this is completed, the final choice of appropriate speed limit for individual sections might need to be adjusted to provide consistency over the route as a whole.

- 6.3.6 The choice of speed limits should take account of whether there is substantial roadside development and whether the road forms part of a recognised route for vulnerable road users, including whether there is a footway.
- 6.3.7 The DfT guidance Setting Local Speed Limits (at Table 2) sets out recommended speed limits for roads with a predominant motor traffic flow function and this will be followed by the Isle of Wight Council
- 6.3.8 If walking, cycling, horse riding, community or environmental factors are particularly important on any road section, consideration should be given to using the lower limit.
- 6.3.9 50mph should be considered for lower quality A and B roads that may have a relatively high number of bends, junctions or accesses can also be considered where mean speeds are below 50 mph, so lower limit does not interfere with traffic flow.
- 6.3.10 40mph should be considered where there are many bends, junctions or accesses, substantial development, a strong environmental or landscape reason, or where there are considerable numbers of vulnerable road users.
- 6.3.11 For C and Unclassified roads with important access and recreational function, the following speed limits are deemed appropriate and the Isle of Wight Council should use these as guidance when reviewing the speed limits on these roads:
- 6.3.12 The national speed limit of 60 mph is only appropriate for the best quality C and Unclassified roads with a mixed (i.e. partial traffic flow) function with few bends, junctions or accesses. In the longer term, these roads should be assessed against through-traffic criteria.
- 6.3.13 For lower quality C and Unclassified roads with a mixed function and high numbers of bends, junctions or accesses 50 mph may be appropriate.
- 6.3.14 A speed limit of 40 mph may be considered for roads with a predominantly local, access or recreational function, for example in national parks or areas of outstanding natural beauty (AONB), or across, or adjacent to, unenclosed common land; or if they form part of a recommended route for vulnerable road users. It may also be appropriate if there is a particular collision problem.
- 6.3.15 It is important to note that the above does not imply that speed limits should automatically be reduced. Indeed, in some cases the assessment may suggest that the existing speed limit may be too low, and a higher speed limit should be considered, as it is likely to be achievable safely.

6.4 SPEED LIMITS IN VILLAGES

- 6.4.1 Fear of traffic can affect people's quality of life in villages and it is self-evident that villages should have comparable speed limits to similar roads in urban areas. It is therefore government policy that a 30 mph speed limit should be the norm through villages.
- 6.4.2 It may also be appropriate to consider 20 mph limits or zones in built-up village streets which are primarily residential in nature, or where pedestrian and cyclist movements are high. Such limits should not, however, be considered on roads with a strategic function or where the movement of motor vehicles is the primary function.
- 6.4.3 Traffic Advisory Leaflet 01/04 (DfT, 2004) sets out policy on achieving lower speed limits in villages. It suggests that reasonable minimum criteria for the definition of what constitutes a village, for the purpose of applying a village speed limit of 30 mph, would be that there are: 20 or more houses (on one or both sides of the road); and a minimum length of 600 metres.
- 6.4.4 If there are just fewer than 20 houses, extra allowance may be given for any other key buildings, such as a church, shop or school.
- 6.4.5 Where the character of a village falls outside this definition, the Isle of Wight Council may use its discretion in deciding whether a lower speed limit is appropriate.
- 6.4.6 The criteria above should give adequate visual messages to drivers to reduce their speed. It is recommended that the minimum length for the new limit is at least 600 metres to avoid too many changes in speed limits along a route, and to aid compliance. This may be shortened to 400 metres when the level of development density over this shorter length exceeds the 20 or more houses criterion and, in exceptional circumstances, to 300 metres.
- 6.4.7 In some circumstances it might be appropriate to consider an intermediate speed limit of 40 mph prior to the 30 mph terminal speed limit signs at the entrance to a village, in particular where there are outlying houses beyond the village boundary or roads with high approach speeds.
- 6.4.8 For the latter, other speed management measures to support the message of the speed limit and help encourage compliance so that no enforcement difficulties are created for the local police force should be considered.
- 6.4.9 Where appropriate, such measures might include a vehicle-activated sign, centre hatching or other measures that would have the effect of narrowing or changing the nature and appearance of the road.

- 6.4.10 Where the speed limit commences at the village boundary, the village nameplate sign (prescribed in diagram 2402.1 of TSRGD 2002) and speed limit roundel may be mounted together. The combined sign should be located at the point where the speed limit starts, and it may be helpful if drivers can see housing at the same time as the signs, reinforcing the visual message for reduced speed.
- 6.4.11 If there are high approach speeds to a village, or the start of the village is not obvious, village gateway treatments can also be an effective way to slow drivers down.
- 6.4.12 In situations where the above criteria for a village are not met and there is a lesser degree of development, or where engineering measures are not practicable or cost-effective to achieve a 30 mph limit, but a reduction from the national 60 mph speed limit is considered appropriate, alternative lower limits of 40 or 50 mph may be considered.

Contact Tony Toynton, interim Highways PFI Contract Manager.

ELECTRIC

charging points

Bembridge Pilot Boat Inn, Station Road, PO35 5NN

Chale Green Chale Green Stores, PO38 2JN

Cowes SpyVelo, 42 Medina Road, PO31 7BX

Godshill Brownrigg's Farm Shop and Café,
Newport Road, PO38 3LY

Havenstreet Isle of Wight Steam Railway, PO33 4DS

Hulverstone Sun Inn, B3399 between Brook and
Brighstone, PO30 4EH

Lake Powerbike World, 6 Lake Industrial Way, PO36 9PL

Newport Blacksmiths Arms, Calbourne Road, PO30 5SS

Ningwood Horse and Groom, Main Road, PO30 4NW

Niton Buddle Inn, St Catherine's Road, PO38 2NE

Newchurch Pedallers Café, on cycle track,
Langbridge, PO36 0NP

Newchurch Pointer Inn, High Street, PO36 0NN

Ryde The Big Kahuna Bar, Sandy Slipway, PO33 1JD

Seaview The Boathouse, 2 Springvale Road, PO34 5AW

Seaview The Old Fort, Esplanade, PO35 5HB,

Shalfleet New Inn, Main Road, PO30 4NS

Shanklin Vernon Cottage, 1 Eastcliffe Road, PO37 6AA

Ventnor El Toro Contento, 2 Pier Street, PO38 1ST

Ventnor Ventnor Botanic Garden,
Undercliff Drive, PO38 1UL

Wootton Bluebells Café, Briddlesford Road, PO33 4RY

Yarmouth Wight Cycle Hire, Yarmouth Station,
Station Road, PO41 0QT

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Electric Vehicle Charging Points

There are now 5 Electric Vehicle Charging Points (EVCP) located in council car parks. The locations are:

1. Newport - Chapel Street Car Park.
2. Ryde - Quay Road Car Park.
3. Cowes - Cross Street Car Park.
4. Sandown - St. John's Road Car Park.
5. Freshwater - Moa Place Car Park.

[Click here](#) to view a map of the Charging Point locations.

The EVCPs in Ryde, Cowes, Sandown and Freshwater are 'fast' chargers which typically take between two and three hours to administer a full vehicle charge. They have an output of approximately 7 kW and are all fitted with Type II sockets. The cost for using a 'fast' charger is £4 for up to four hours and vehicles can park for free during the charging period.

The EVCP in Newport is a 'rapid' charger. This is the fastest available and can sufficiently charge a vehicle in twenty to thirty minutes, costing on average £6 per charge. The rapid charger has an output of 43 kW AC or 50 kW DC and the plugs available are:

- AC - Type II; DC - Chademo (usually for Asian vehicles) and CCS (usually for European vehicles).

The EVCPs are operated by SSE. A payment card is required and this can be obtained from www.chargepointgenie.com.

For a limited period the council is allowing free parking in its car parks for vehicles that are using the charging point.

A 'fast' charging point is also installed at Ventnor Botanic Garden's car park, with free parking also available to motorists who visit the gardens while their vehicles are charging.



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IW LAF STAND/DISPLAY AT
WOOLVERTON GARDEN FAIR
SUNDAY 4th SEPTEMBER 2016.

4 subjects = Coastal path Countryside code

Rail crossings Lost Ways

* 600 + visitors to the stand/display.

* 311 responses to the material.

Coastal path	= 208
Lost ways	= 43
Rail crossings	= 17
Countryside code	= 8
Others matters	= 35

Other matters:

1. Lost way : lovers lane Stenbury ?



2. What is happening with Stenbury Manor.
3. Cycle way to Bembridge ,please.
4. More safe routes for cyclists, please.
5. Luccombe chine is there a chance of a Return.
6. Where are the electrical charging points for cars and bikes on the I.W.
7. GPS problems at Shalfleet sent down Farm lane in car . Garmin/Tom tom. can you correct.
8. Landowner : Eleanor's Grove Lost way ?
9. Footpath : Whale Chine chances of ever Reopening.
10. More cycle racks needed at ferry

terminals and at busy transport hubs.

11. Coastal path : Thorness bay holiday Park. Gate closed at 8pm ?
12. Lake cliff gardens : people take ridiculous risks at rail crossing.
13. More byways for motorcycles please.
14. More routes for 4x4s please.
15. Is there a path warden scheme on the Island.
16. Former rights of way manager for East Surrey retiring to the Island.
17. Kings quay : will the bridge be Re-opened.
18. Continuous land movement now not only on the coast but in land as well.

19. Rail crossings: concern at any closure.

20. Coastal path : Gurnard sections status and future.

21. Where are the LPG filling stations.
They had been sent to caravan park !!!

22. Footpath : Corve hill was closed during F&M outbreak and not reopened ?

23. Landowner : Churchill farm , Chessell old and new ROW maps.

24. Old maps : where do I go ?

25. Dogs muck : what can be done ?

26. Fords on the Isle of Wight . Is Shalfleet estuary crossing still officially active ?
Where are the crossable fords.

27. Limerstone Farm : poor wayside markings. Easy to get lost.

28. Woodhouse Copse : Why did the IW Council let it go so far before acting ?

29. Binstead Beach : was told to get off beach (private) at low tide by land agent. Can they do this ? And where are the private beaches on the I.W.

30. Some ROW nearly impassable.

31. Up to date information on OS maps.

32. Old road closed at Blackgang chine. Is there an alternative route to lost Hamlet.

33. Old railway line Bembridge/St Helens. Dangerous at night and confusing. Please re-open old line ?

34. More walks in the East Wight please.

35. Attacked by cows in Chale.

Action : **Yellow** = answered /noted.

Green = Information being
Gathered.

Pink = Still to action
Research required.

Dog Fouling Order

**THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005
THE DOG CONTROL ORDERS (PRESCRIBED OFFENCES AND PENALTIES,
ETC) REGULATIONS 2006
THE FOULING OF LAND BY DOGS (ISLE OF WIGHT) ORDER 2007**

The Isle of Wight Council hereby makes the following Order:

1. This Order comes into force on **May 2 2008**
2. This Order applies to the land specified in Schedule 1.

Offence

3.

(1) If a dog defecates at any time on land to which this Order applies and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless -

(a) He has a reasonable excuse for failing to do so; or

(b) The owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

(2) Nothing in this Article applies to a person who -

(c) Is registered as a blind person in a register compiled under Section 29 of the National Assistance Act 1948; or

(d) Has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

(3) For the purposes of this Article -

(e) A person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;

(f) Placing the faeces in a receptacle on the land which is provided for the purpose or for the disposal of waste shall be sufficient removal from the land;

(g) Being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;

(h) Each of the following is a 'prescribed charity' -

(i) Dogs for the Disabled (Registered Charity No 700454);

(ii) Support Dogs (Registered Charity No 1088281);

(iii) Canine Partners for Independence (Registered Charity No 803680)

Penalty

4.

A person who is guilty of an offence under Article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Dated this ... day of 2007

THE COMMON SEAL of the ISLE OF WIGHT COUNCIL was hereunto affixed in the presence of:

Schedule 1

This order applies to all land within the administrative area of the Isle of Wight Council which is open to the air (including covered land which open to the air on at least one side) and to which the public are entitled or permitted to have access (with or without payment) but does not include Forestry Commission Land and land designated by the Secretary of State as land to which is not subject to the Order.

Cattle and public access in England and Wales

Advice for farmers, landowners and other livestock keepers

HSE information sheet

Agriculture Information Sheet No 17EW(rev1)

Introduction

This sheet describes the major hazards to members of the public associated with keeping cattle, including bulls (uncastrated bovine animals of 10 months or over) and newly calved cows, in fields where the public have access in England and Wales. It suggests reasonably practicable ways of controlling those hazards for walkers. Land managers should also consider risks to other rights of way users such as horse riders and cyclists. It does not provide advice on housing bulls or other cattle, nor on safe handling.

There is a considerable network of public rights of way in the UK which are regularly used by walkers and others, often accompanied by dog(s). In addition the Countryside and Rights of Way Act 2000 (CROW) gave the public the right to walk on mapped access land which includes mountain, moor, heath, down and registered common land. Open access or access along specified routes is also permitted on other land, some of it in public ownership. This land may also be crossed by public rights of way.

Throughout this information sheet, 'fields with public access' means fields or enclosures where the public have a statutory right of access or have been given permission by the landowner. It does not include fields which the public access without permission, or without a statutory right.

Specific information on the responsibilities of the public exercising their right of access can be found in 'Further reading'.

Background

HSE regularly investigates incidents involving cattle and members of the public in England and Wales. Some of these result in death or serious injuries. Almost all of these incidents are in fields and enclosed areas. Many other incidents occur but are not reported to or investigated by HSE. The two most common factors in these incidents are cows with calves and walkers with dogs.

All large animals are potentially dangerous. You should try to ensure that the cattle you own or breed from are of a normally quiet temperament. However, when under stress (eg because of the weather, illness, unusual disturbance, or when maternal instincts are aroused), even normally placid cattle can become aggressive. Even gentle knocks from cattle can result in people being injured. All breeds should be treated with respect.

Members of the public, including walkers and children, may not understand that cattle with calves at foot can present a risk due to protective maternal instincts, especially when a dog is present. When you are considering where to keep livestock you should take into account that members of the public are unlikely to be aware of the behavioural characteristics of cattle. You should also consider the amount and type of public access in different areas of the land you manage (eg large groups of walkers with dogs every day, groups of children, or infrequent lone walkers). This will help you decide whether the cattle should be kept in certain areas and what precautions you need to take.

Precautions if you graze bulls or groups of entire male cattle for bull beef

- Bulls of recognised dairy breeds (eg Ayrshire, Friesian, Holstein, Dairy Shorthorn, Guernsey, Jersey and Kerry) are in all circumstances banned from being at large in fields crossed by public rights of way. Do not keep them in fields with public rights of way, statutory or other types of permitted access.
- If you are considering putting a bull of any other breed in a field to which the public have access you should carefully consider the animal's temperament and behaviour and monitor its demeanour and state of health on a frequent basis. If there is any indication that the bull is likely to be aggressive or unpredictable, or if or if its behaviour gives you cause for concern, it should not be kept in a field to which the public have the right of access.
- Beef bulls are banned from fields or enclosures

with footpaths unless accompanied by cows or heifers. This does not include open fells or unenclosed moorland. There are no specific prohibitions on other cattle.

- In other fields make sure that groups of animals older than 10 months are securely enclosed by stock-proof hedging or fencing at least 1.3 m high, strong enough to retain the animals and capable of restricting access of children. Erecting an electric fence 0.5 m inside the external perimeter hedge or fence will provide a greater degree of security.
- Fit gates or other means of closure at points of entry into the fields containing the cattle. Gates etc should be at least of equal height and strength as the perimeter fencing, should restrict the access of young children and be fitted with a securing device which will prevent release by children and/or the animals. They can also be kept locked as they will not be sited on public rights of way.

Precautions if you graze other cattle

Before you put any cattle, including bulls, in fields with public access:

- assess whether the bull or animals in the herd are generally placid and well-behaved;
- if possible use fields or areas not used by the public when cattle are calving or have calves at foot, especially during periods of greater public use, eg school holidays;
- assess whether calves kept with the herd will affect the behaviour of older cattle;
- consider whether it is reasonably practicable to temporarily fence alongside a public right of way so that the cattle and people are kept separate. Take care not to obstruct rights of way by fencing across them;
- an alternative route can be offered or provided, but bear in mind that even if you do decide to provide an alternative route, the public will still be entitled to use the right of way;
- plan the location of handling and feeding areas away from public rights of way to reduce the possibility of stock congregating around the route;
- where the landowner and the cattle owner are not the same person there may be some joint responsibility and it is the duty of both parties to agree a course of action;
- on land to which CROW applies, it may be possible under some circumstances to restrict access to avoid danger to the public, although public rights of way still remain usable (see 'Further information');
- consider providing signposted paths, especially on CROW land, to draw most public access along routes which are best integrated with livestock management.

If you have an animal known or suspected to be aggressive then you should not keep it in a field that is used by the public.

Precautions to minimise the risk to the public

- Wherever possible keep cattle in fields that do not have public access, especially when cattle are calving or have calves at foot.
- Check that fences, gates, stiles etc are safe and fit for their purpose.
- Check paths are clearly marked so that users do not enter fields without public access.
- Make arrangements for checking both the cattle (for illness or other possible causes of aggression) and the fences etc surrounding the field regularly at least once each day.
- Plan how to safely move individual cattle, the whole herd, or part of it, from field to field. Remember that inadequately controlled cattle on roads can cause public concern, damage or injury.
- Ensure cattle handling facilities are available, and that you can safely move animals to them.
- If bulls are on hire, lease, or loan, or if other cattle are new to the farm, check that they are suitable to keep in an area used by the public before putting them in such an area. A few days in another field or in a stock building, where they can be closely and regularly observed, should be enough.

Signs

Even though you should have made every effort not to keep aggressive, or potentially aggressive, animals in a field or area with public access, it is good practice to display signs informing the public when a bull, or calves with cows, are in the area.

- Consider putting a sign at any gate, stile or other access points to a field or open area such as fell, hill or moorland if there is a bull, or cows with calves, at large there.
- Signs should conform with suitable standards (see 'Further reading').
- A suitable bull sign would be triangular with a yellow background and a black band around the outside. A bull or bull's head should be shown (black on yellow) on the sign, with supplementary text (also black on yellow) such as 'bull in field' if desired. Supplementary text should not suggest that the bull is aggressive, threatening or dangerous (ie avoid words such as 'beware' or 'danger').
- Signs alerting the public to the presence of other cattle, including cows with calves, should be informative and based on guidance from Natural

England or the Countryside Council for Wales. The use of symbols will help children, and those unable to read, to be aware of the risks.

- Signs should not be displayed, or should be securely covered, when the animals to which they refer are not present in the field or area. Misleading signs which deter the public from exercising their right of responsible access are likely to be regarded as obstruction and should never be used.
- Electrified stock fencing used near to public rights of way will also require warning signs located at suitable intervals along its length – generally 50 to 100 m apart.

Further reading

The following publications are available free from Natural England at www.naturalengland.org.uk:

Managing public access: A guide for land managers Booklet CA 210 The Countryside Agency 2005

Signs on access land in England: Guidance for land managers Leaflet CA 182 The Countryside Agency 2004

You and your dog in the countryside Leaflet CA 205 The Countryside Agency/The Kennel Club/English Nature 2005

Out in the country: Where you can go and what you can do Booklet CA 9 The Countryside Agency 2002

The Countryside Code

The following publications may also be useful:

BS 5499: *Safety signs including fire signs*
British Standards Institution (or European equivalents)

Safety signs and signals. The Health and Safety (Safety Signs and Signals) Regulations 1996. Guidance on Regulations L64 (Second edition)
HSE Books 2009 ISBN 978 0 7176 6359 0
www.hse.gov.uk/pubns/books/L64.htm

Wildlife & Countryside Act 1981 The Stationery Office 1981

Further information on countryside access in Wales is available from the Countryside Council for Wales (CCW) at www.ccw.gov.uk or Tel: 0845 1306 229.

Further information

For information about health and safety, or to report inconsistencies or inaccuracies in this guidance, visit www.hse.gov.uk/. You can view HSE guidance online and order priced publications from the website. HSE priced publications are also available from bookshops.

British Standards can be obtained in PDF or hard copy formats from BSI: <http://shop.bsigroup.com> or by contacting BSI Customer Services for hard copies only Tel: 020 8996 9001
email: cservices@bsigroup.com.

The Stationery Office publications are available from The Stationery Office, PO Box 29, Norwich NR3 1GN
Tel: 0870 600 5522 Fax: 0870 600 5533
email: customer.services@tso.co.uk
Website: www.tsoshop.co.uk/ (They are also available from bookshops.) Statutory Instruments can be viewed free of charge at www.legislation.gov.uk/.

For advice and information on restriction of access to CROW land contact the Open Access Contact Centre (Tel: 0845 1003298) for England, and for Wales call the CCW enquiry line (Tel: 0845 1306 229).

This document contains notes on good practice which are not compulsory but which you may find helpful in considering what you need to do.

This document is available at www.hse.gov.uk/pubns/ais17ew.pdf

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- Home (<https://www.gov.uk/>)
- Disabled people (<https://www.gov.uk/browse/disabilities>)
- Disability equipment and transport (<https://www.gov.uk/browse/disabilities/equipment>)

Mobility scooters and powered wheelchairs: the rules

Show all parts of this guide

- 1. Overview (<https://www.gov.uk/mobility-scooters-and-powered-wheelchairs-rules/overview>)
- 2. Rules for class 3 invalid carriages (<https://www.gov.uk/mobility-scooters-and-powered-wheelchairs-rules/rules-for-class-3-invalid-carriages>)
- 3. Driving on the road (<https://www.gov.uk/mobility-scooters-and-powered-wheelchairs-rules/driving-on-the-road>)
- 4. Driving on footpaths and parking
- 5. Eyesight requirements (<https://www.gov.uk/mobility-scooters-and-powered-wheelchairs-rules/eyesight-requirements>)
- 6. Who can use them (<https://www.gov.uk/mobility-scooters-and-powered-wheelchairs-rules/use-by-nondisabled-people>)
- 7. Vehicle tax, registration and insurance (<https://www.gov.uk/mobility-scooters-and-powered-wheelchairs-rules/vehicle-tax-registration-and-insurance>)

4. Driving on footpaths and parking

All mobility scooters and powered wheelchairs can legally travel at a maximum of 4mph on footpaths or in pedestrian areas.

! You can't drive any type of mobility scooter or powered wheelchair on cycle paths marked 'cycle only'.

Parking

All normal parking restrictions apply to mobility scooters and powered wheelchairs.

Your vehicle shouldn't be left on a footpath or pedestrian area on its own if it gets in the way of other pedestrians, including wheelchair users and people with prams or pushchairs.

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Disability equipment and transport

- [Medical conditions, disabilities and driving \(https://www.gov.uk/driving-medical-conditions\)](https://www.gov.uk/driving-medical-conditions)
- [More \(https://www.gov.uk/browse/disabilities/equipment\)](https://www.gov.uk/browse/disabilities/equipment)

Elsewhere on GOV.UK

- [Tax your vehicle \(https://www.gov.uk/vehicle-tax\)](https://www.gov.uk/vehicle-tax)
- [Vehicles exempt from vehicle tax \(https://www.gov.uk/vehicle-exempt-from-vehicle-tax\)](https://www.gov.uk/vehicle-exempt-from-vehicle-tax)
- [Quad bikes: the rules \(https://www.gov.uk/quad-bikes-the-rules\)](https://www.gov.uk/quad-bikes-the-rules)

RSPB Reserve - Access & Protected Species

Legend:

-  Protected Lagoons & Species
-  Access Point From Road
-  Dead End
-  RSPB Footpath (Permissive Access)
-  RSPB Reserve

Acknowledgements & notes:

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Inset map:



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RSPB

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Map scale = 1:6,738

