



**Minutes of the LAF: 16 November 2023 at 4pm
(held at IW Community Club, Park Road, Cowes)**

LAF Members In attendance:

Cllr Paul Fuller (Chairman)

Mike Slater (IW Rambles Association)

Tricia Merrifield (IW Bridleways Group)

Alec Lawson (Cycle Wight)

John Heather (NFU)

John Hobart (Landowner & Chillerton and Gatcombe Parish Council)

Cllr Rodney Downer (IWC Elected Member)

Richard Grogan (AONB)

Mick Lyons (Havenstreet & Parish Council)

Alana Higginson (Disability Access)

Helena Hewston (IWALC)

Remaining LAF Members not at the Meeting

Cllr John Medland (IWC Elected Member)

Observers / Guests:

Darrel Clarke (IWC Rights of Way Manager)

Brian Taylor (Whippingham Parish Council)

Carole Pierce

Jennine Gardiner (LAF secretary)

Simon Richards

David Yates (IW Ramblers)

David Howarth (IW Ramblers)

Apologies (all regular observers):

Kathy Domaille

Pete Johnstone

Dina Jung

Jan Brooks

Declaration of Interest:

Not done

Minutes of previous meeting (13 April 2023):

Not done

Chairman asked that regular observers join and become members, as it is important that the group has a broad range of different interests from independent people within its membership.

Agenda Items:

Coast Path Update (written by John Truswell 13/11/23 and circulated to LAF members prior to the meeting to allow for an informed debate)

Neither Chloe nor I are to attend the meeting on the 16th November 2023. Chloé is on medical leave and will be back to work in the New Year, please direct any King Charles III England Coast Path enquiries to me please (John Truswell John.Truswell@naturalengland.org.uk) Please find below an update for the King Charles III England Coast Path (KCIIECP).

Isle of Wight Length 1 – East Cowes to Wootton Bridge

Since the last LAF meeting dialogue has continued with various potentially affected landowners regarding alignment of the King Charles III England Coast Path (KCIIECP) on Length 1 East Cowes to Wootton Bridge.

NE have met with more than one landowner.

Because the consultation process is iterative and very complex, consultation is continuing, our original schedule was to publish proposals in Autumn 2023, this will not now happen and is likely to be early 2024.

Our normal statutory requirement to inform local access forums of the route of the King Charles III England Coast Path is at the point of publication. At this point the IOW LAF will have access to the proposals in detail and consider whether they wish to make a representation. It's important to note that NE are aware of the LAF's desire to achieve a near coastal route as much as possible on this length of coast.

Additionally NE are aware of the publication on the Isle of Wight Ramblers website, **the map displayed on that website is not an official NE map.**

In July (2023) NE sent a draft for an inland offroad alignment for the King Charles III England Coast Path (KCIIECP) to potentially affected landowners which is our usual practice. We have not shared this with a wider audience though I note that the 'pink' on the Ramblers map is similar but not identical to that draft alignment.

I and Natural England are very aware of the Ramblers desire, and the wider community too, for a coastal route for the KCIIECP, and arguably this may be the best outcome for most people but such an aspiration has to be balanced against the complex local context including excepted land, the paid for attraction, which is Osborne House and other land use activities, all of which we do take into very careful consideration and are subject to discussion and analysis at the highest levels within NE, DEFRA and wider.

I have included below some broader national KCIIECP statistics that the LAF may find of interest.

- The KCIIECP will cover 2,704 miles of English coast
- With 54 local authorities
- There are 67 stretches in England
- A complicated legal process to follow
- 65 sets of proposals published to date 2,677 miles (99.1% of the total length) submitted to government.
- 25,346 owner/occupiers engaged with over the 65 sets of proposals published
- There have been 613 objections (2.4%) arising from the 65 sets of proposals
- 2,867 representations arising from the 65 sets of proposals
- 2,285 miles (84%) have been approved by government, of which:
- 1,279 miles (47%) have establishment works in hand by our local authority delivery partners or for which works are awaited.
- 1,006 miles (37%) have been completed and new rights commenced

IOW 2-10

IOW 3 - The 8-week objections and representations period for both modification reports at Luccombe (MR1) and Shanklin Chine (MR2) began on Wednesday 9th August and this period ended on Wednesday 4th October. We received some representations for both modifications. We have written our comments and submitted them to Defra.

- As a result of the alignment changes through Shanklin Chine, we have been able to remove the objections from the March 2020 proposals. This means the IOW 3 report no longer needs to be assessed by PINs. Defra assess representations.
- The route through Chine Hollow (Shanklin Chine) is temporarily closed following a collapsed wall and repairs, reopening is expected in the short term - We do not have a timescale for this.
- The KCIIECP route through Bonchurch (On IOW Length 3) has suffered a significant land slip – NE and the IOW council are in discussion about this in terms of impact not only for the right of way but also for the KCIIECP

IOW 6- The representation comments were sent to DEFRA at the end of September

IOW 10- Waiting to be assessed by PINs (PINs are to organise site visits to the island)

IOW 2 and 7 – Both objections and representations are being commented on by NE prior to submission to Defra and PINs

Approved Lengths

- **IOW 4 and 5** establishment is in progress - IOW 5- Waiting for Defra to assess the Headon Warren variation report (we had no objections or representations)
- **IOW 8 and 9** establishment not yet started

Please let me know if you need any further clarification or have any questions.

Questions and debate arising from the written update:

The group was disappointed that Natural England couldn't be present at the meeting. It was agreed that in 2024 we would set the first meeting on a date that John or Chole could attend either via Teams or in person at the IW Community Club.

Proposed motion (circulated to LAF members prior to the meeting to allow for an informed debate) – Mike Slater from IW Ramblers

Proposed motion for the next IOW Local Access Forum.

Natural England are currently discussing with Landowners a route for IOW Stretch 1 of the King Charles III Coast Path. This stretch runs from East Cowes to Wootton and our understanding is that the proposed route involves:

- A 4-5km inland detour around both the Osborne and Barton Estates.
- Including 1.5km along the A3021 main road to Newport.

The IOW Local Access Forum ask that Natural England, the IOW Council, English Heritage and Landowners work together to achieve a truly Coastal Route for this valuable stretch of national trail. The full scope of both Natural England's 2013 England Coast Path Scheme plus the Highways Act 1980 creation powers should be explored to achieve this objective.

Attached to these minutes are the additional background information and maps which the IW Ramblers circulated to LAF members prior to this meeting.

Darrel Clarke made the group aware of two points within the motion to ensure they fully understood the meaning :

Natural England's 2013 England Coast Path Scheme – this is the rules and conditions found in the Coastal Access – Natural England Approved Scheme 2013
<https://publications.naturalengland.org.uk/publication/5327964912746496?category=50007>

Highways Act 1980 creation powers: what is being proposed, in basic terms, is for the IWC to use powers to create a new path over land where there is no public access at present, this would be a type of creation order, and for all intents and purposes would be a compulsory purchase type process. IWC would no doubt have to pay compensation to the landowner(s).
<https://www.legislation.gov.uk/ukpga/1980/66/contents>

A debate then proceeded regarding Length 1 around Norris, Osborne & Barton. The landowner interests being represented by John Heather.

Map - copy of the NE & Rambler maps below for full record of facts: John Heather asked Mike Slater where did the map that indicated the Natural England September 2023 route (stretch 1), come from. Mike told the group that the ramblers had seen this attached to the modification Reports for Luccombe & Shanklin (the NE island overview map), the email containing this was sent out by Natural England to stakeholders for consultation in August 2023 and this was enough to concern the Ramblers that action needed to be taken to raise

the public awareness and make sure Natural England know that a coastal route (not roads) is needed.

Garden land: John said the Natural England route (pink route on rambler map) is via someone's private garden *[this would be against the scheme rules as private gardens are "excepted land" and any path would have to be via separate negotiation]*

SSSI, AONB & Conservation?: The group didn't know what designations apply to the Norris, Osborne & Barton land but everyone is worried about possible damage to protected sites.

Local Councillors / Parish Councils / Stakeholders: Paul Fuller said he has spoken to the local councillors for this area and none of them agree with any of the routes plotted on the rambler's map. The local parish councils are disappointed with the lack of contact and engagement from NE with themselves and the local community (as NE are currently only concentrating on landowners). The Ramblers are concerned as NE are not talking to them or listening to their concerns. This means once the route is published it is too late as NE will not take any action on representations as they will only consider landowner objections.

Darrel Clarke: explained that there were a number of phases that NE are required to carry out leading to publication of the route. General consultation with the public and parish councils takes place at the very outset e.g. the roadshows. NE are currently in the phase of speaking with landowners.

Whippingham P/C Cllr Brian Taylor was present at the LAF meeting, he told the group he was simply there to listen to the comments and gauge the atmosphere and would like to try and find a way forward on length 10 which is The Medina both sides – chain ferry to Newport.

What are the landowner concerns? Due to NE & landowner secrecy LAF members don't know what the actual reasons are for the landowner outrage, hostility and unwillingness to help create a coastal trail.

Barton Estate: John Heather informed the group that the Barton Estate is a complex area, homeowners own the lanes and there are different types of farming practices taking place. There are some farming businesses that cannot have the public anywhere near due to bio security concerns (disease control). [Blue tongue](#) in cattle is a current concern.

Landowners not happy: John Heather has said the landowners he represents are not happy and wanted the Ramblers to retract their recent press statement which highlighted the proposed non-coastal route between Norris, Osborne & Barton Estates, plus map, and offer a formal apology as this press release had caused them reputational damage, and financial and emotional distress.

No apology: Mike has said that the Ramblers will not retract or apologise for publishing what Natural England has published into the public domain.

John Heather said it will now have to be left with the landowners to take their own legal action against the IW Ramblers Association.

To make the motion or not: John Heather didn't think that the LAF should be making such a motion because Natural England are already following their own legislation within the pages of the England Coast Path scheme, so it is pointless in making a motion to ask that they do this. And that it was not within the LAF remit to make such a motion, i.e., to ask the local authority to waste public money on a compulsory purchase.

LAF member comments:

- If the LAF doesn't make the motion, then we are not helping the landowners or the public.
- If biosecurity in Barton is a concern, then it makes sense to "hug" the coast (and not divert inland on estate roads)
- It is hard to understand why English Heritage will not allow the trail on the Osborne coastal edge after the estate was gifted to the public.

Paul Fuller disagreed with John and said it was within the LAF remit to make a resolution to propose this motion. However, amendments to the original wording were agreed and following the debate, the LAF members voted (with John Heather voting against the motion and Richard Grogan abstaining) to amend the motion to now read:

The IOW Local Access Forum ask that Natural England, the IOW Council, English Heritage and Landowners work together to achieve a truly Coastal Route for this valuable stretch of national trail. The full scope of both Natural England's 2013 England Coast Path Scheme plus the Highways Act 1980 creation powers should be explored to achieve this objective.

Additionally:

Ask Natural England to ensure areas of Ecological & Conservation are protected.

Members of the public including Local Town & Parish Councils are approached by Natural England with respect to full consultation.

Ensure that private gardens are protected.

ACTION: Paul Fuller to write / email the motion to NE, IWC & English Heritage

[Post LAF info - Natural England's website: the map is still available for public view. All LAF members and guests had this info sent to them on the 10/08/23 by email from the LAF secretary and may have also had a direct email from NE.]

<https://assets.publishing.service.gov.uk/media/64dba7d23fde6100134a5316/modification-report-iow-mr1-luccombe.pdf>

<https://assets.publishing.service.gov.uk/media/64dba546c8dee400127f1d29/modification-report-iow-mr2-shanklin-chine.pdf>

After meeting information from John Heather on behalf of landowners. John has asked that the following is added into the minutes.

- 1) "Some landowners" had not misunderstood the recent paper posted on the IOW Ramblers website, the paper was misleading and its subsequent publication in the local news spread this misinformation further.
- 2) The article clearly noted, and I note the revised map still shows the pink route as "Natural England Sept 2023 Route" – this is not the case
- 3) Under the terms of the Coastal Path Act the proposals do not have to be discussed with the Ramblers or the LAF until the proposed route is published
- 4) Adding their three-line statement to the map does not remove misunderstanding as they have already, willingly published misinformation into the public domain

- 5) This act has caused financial, emotional, and reputational damage to landowners and residents in the area
- 6) No one has asked them to apologise for lobbying, but the fact they do not recognise the harm they have done just emphasises their arrogance

After meeting information from IW Ramblers. Mike has authorised that the following can be added into the minutes.

From: Mike Slater, IOW Ramblers Footpath Secretary, Member of Local Access Forum
By Email 18th November 2023

To: Paul Fuller (LAF Chairman) & Jennine Gardiner (LAF Secretary)

Dear Paul and Jennine

I would like to follow up on a couple of issues raised during the LAF meeting on Thursday 16th November.

At the start of the meeting John Heather (NFU) informed us that some landowners had misunderstood a recent paper posted on the IOW Ramblers website about Stretch 1 of the Coast Path.

The document referred to including a map indicating three potential routes, summarises our understanding of proposals that Natural England have been discussing with Landowners and Whippingham Parish Council between July and October this year. So far Natural England have decided not to discuss their proposals with other parties including the LAF and IOW Ramblers. They have however publicised an outline map depicting a route between East Cowes and Wootton with a 4-5km inland diversion.

The paper also provides the Ramblers assessment of the complex issues surrounding a shoreline route through the Osborne and Barton Estates. The section reviewing potential routes clearly states in the first paragraph:

‘These routes are indicative of three different approaches to providing a coast path between East Cowes and Wootton. The most appropriate detailed alignment of the path would need to be confirmed by a Natural England survey.’

To minimise the risk of further misunderstandings the Ramblers have now added this statement to the route map itself in addition to the original statement in the paper’s text.

Sixty to seventy % of people across the UK enjoy and have health benefits from a regular countryside walk. The IOW ramblers do not need to apologise for campaigning and lobbying for shared access to both our coastline and countryside.

Kind Regards, Mike Slater, IOW Ramblers Footpath Secretary

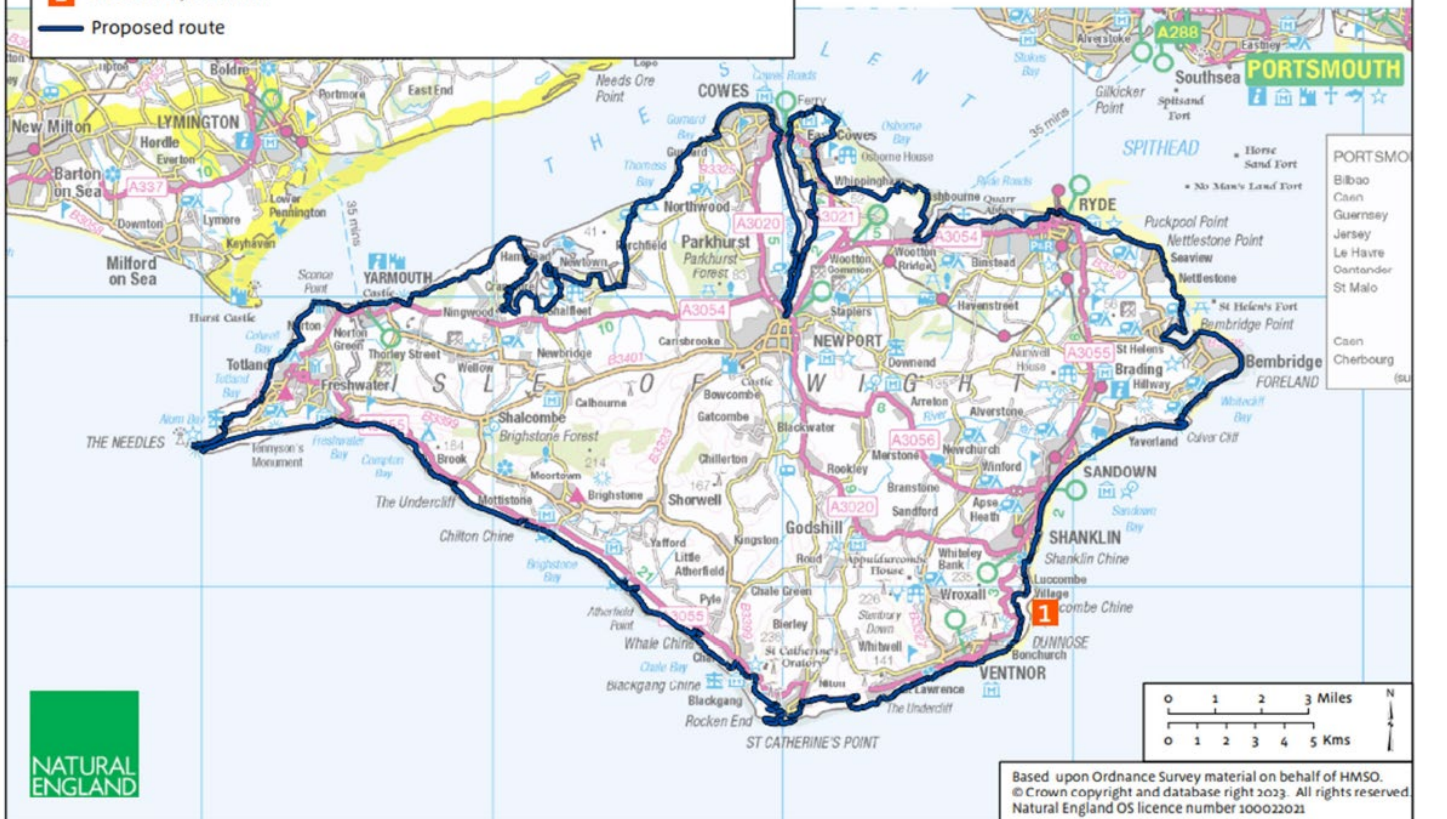
MR2 - Overview map
Location of modification proposals on Isle of Wight coast

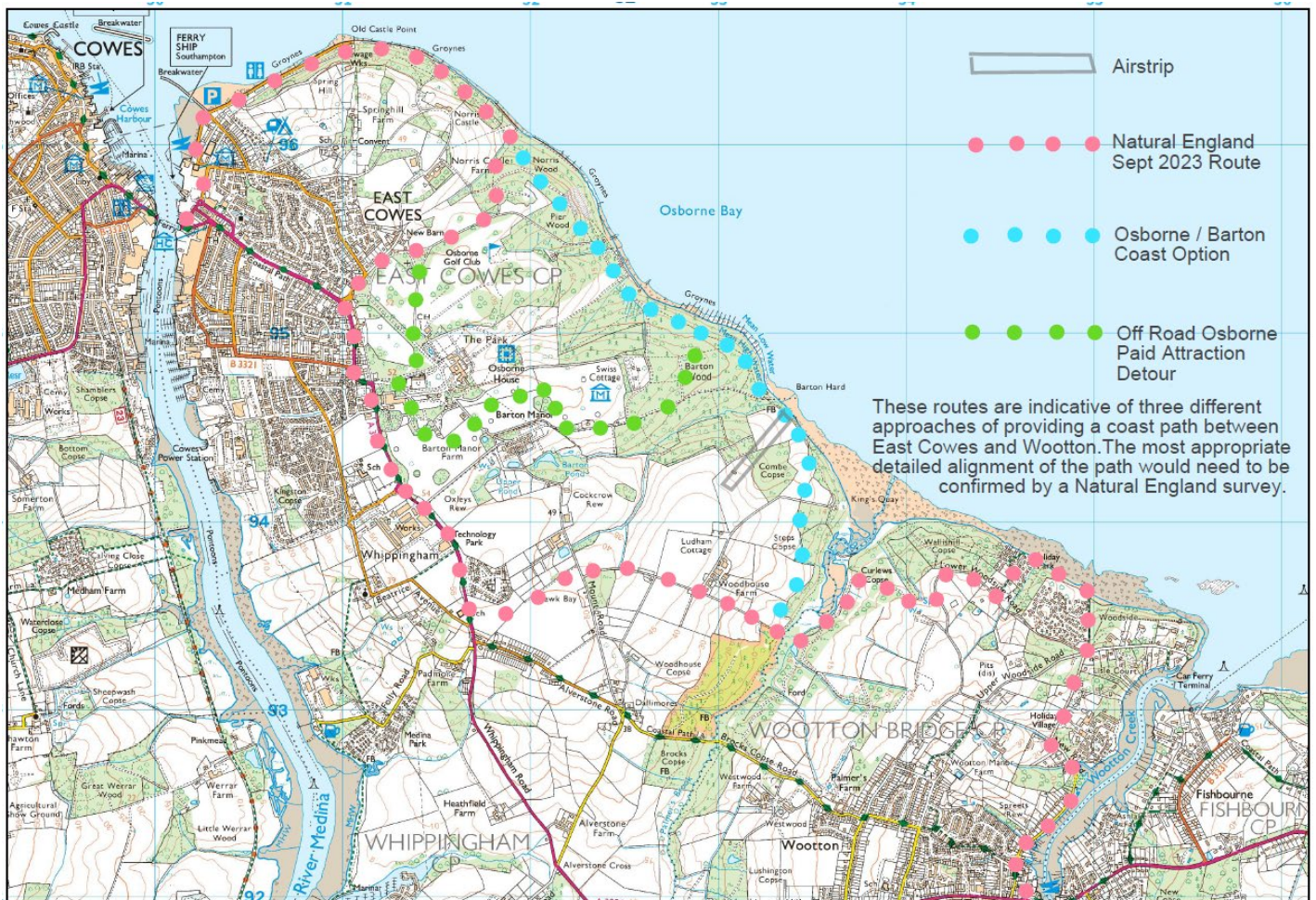
- 2 Shanklin Chine, Shanklin
- Proposed route



MR1 - Overview map
Location of modification proposals on Isle of Wight coast

- 1 Luccombe, Shanklin
- Proposed route





Post meeting information:

As a reminder: the role of the Local Access Forums as independent advisory bodies, but operating on a statutory basis are in a unique position to formulate fresh, creative and even challenging ideas, on ways to improve public access and open-air recreation for the benefit of all.

Forums should be maximising their effectiveness by focusing on issues which are most relevant, considering issues at the strategic level, taking care to direct advice to the most appropriate recipients. Advice needs to be independent, constructive, relevant, inclusive, incisive and informed.

Local access forums are advisory bodies. Section 94 of the CROW Act defines their statutory function as being to:-

advise as to the improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area, and as to such other matters as may be prescribed.

The statutory function of forums is to give advice to the following (called Section 94(4) bodies):-

- *the appointing authority (which will be the IWC highway authority)*
- *the Secretary of State (in effect this means any Government Department with a Secretary of State, e.g. Defra and MOD, as well as 'executive agencies' such as the Planning Inspectorate and the Highways Agency)*
- *Natural England*

- *the Forestry Commission*
- *English Heritage*
- *Sport England (the English Sports Council)*
- *Area of Outstanding Natural Beauty (AONB) Conservation Boards*
- *Parish and town councils*

Forums may occasionally consider that individuals or organisations which are not section 94(4) bodies would benefit from receiving advice or information (e.g. landowners, the police, transport providers). Whilst it is not the statutory function of forums to advise such 'third parties', it would be open to a forum to recommend that the access authority (or another section 94(4) body) engage with other individuals or organisations]

Rights of Way Update (Darrel Clarke)

Storm Damage / Closures: The Rights of Way network has been damaged from the recent storms/flooding, and we have had to close many paths, the damage is varied (from landslips, trees down and bridges / steps destroyed, heavily washed out and scoured paths) and widespread and there will be more to come as it is discovered. It is also concerning that this has happened so early in the winter season.

John Brownscombe left IWC in June and we will get a replacement KCIIECP officer in January 2024, the new person is called Kathryn Bunker and is due to start on 02/01/24

Maintenance Officer the Rights of Way maintenance and protection officer has left IWC, this has left the rights of way service severely understaffed. Recruitment is currently being advertised for a replacement.

Highways from the 1st October 2023 the Rights of Way service sits under the Highways Team (was previously under the Directorate of Neighbourhoods, Recreation and Public Open Spaces)

West Wight Greenway

- First scheme of infrastructure for phase 1 (Freshwater to Wellow) has been constructed providing a 3m wide path through Afton Marsh "north". This is not yet promoted for cycling as a highway compliant crossing point is required at Afton Road to connect to the existing Yarmouth to Freshwater cycle track. The crossing point has to be compliant with LTN 1/20 guidance and Highways are working up a scheme.
- Heads of Teams have been signed with the landowner for the section of land between Thorley Road and Hill Place Lane. A planning consultant has been instructed in respect of this section – it is new access so planning permission will be required.
- A dedication agreement has been made with the landowners of a section of the footpath called Y8 (between Hill Place Lane and Lee Farm old railway) to upgrade this to bridleway status.
- Lee Farm old railway Line this section has been resolved due to the Cowley family being required to form the Greenway on their land as part of their planning approval. See planning application [21/00684/FUL](#)

Questions

Helena highlighted that there was no north to south bridleway links (between Ningwood Hill and Main Road, Wellow into the Lee Farm section of the forthcoming WWG)

IW Bridleways Group (Tricia Merrifield)

Sadly, as no people have come forward to assist running the group, the bridleways group will be winding up after Christmas.

Tricia will continue on the LAF representing equestrians and continuing as the Island's British Horse Society representative.

CB5 now upgraded to bridleway (was footpath) this path runs between Whitehouse Road and Marks Corner Road via Parkhurst Forest. Equestrians and cyclists are using the new route and Tricia has seen that horse riders have been able to enter the forest from the west, which hasn't been possible for a long time.

CycleWight <https://www.cyclewight.org.uk> (Alec Lawson)

1. CYCLE TRACK MAINTENANCE AND DEVELOPMENT INCLUDING BLACKWATER AND AFTON.

A Cyclewight member has written to Island Roads and to the IWC regarding the contract to maintain the cycle track network. The promised reply has been delayed considerably.

This member has met with Bob Seely MP to raise in particular the dreadful surface and flooding on the cycletrack at Blackwater. The MP agreed to follow up with the council, and also expressed support for the strategic cycle network on the island. It is understood that action will be taken soon to address the issue at Blackwater. It was and is the case that Cyclewight acknowledges that the IWC Rights of Way Department have contributed to this discussion and that Natural Enterprise has been instrumental in the provision of new cycle routes.

2. LOCAL CYCLING AND WALKING INFRASTRUCTURE PLANS

LCWIPs are progressing for many parts of the island, including East Cowes where the town council has now endorsed a plan.

At the same time Red Funnel have consulted with the public on a revised development plan for the ferry terminal. Cyclewight members are in ongoing discussions with Red Funnel and have kept the East Cowes Town Council updated on the matter. Red Funnel have also funded "Think Bike" safety signs on approaches to East Cowes.

3. UPGRADES AND IMPROVEMENTS

Island Roads have recently re-surfaced the highway and re-signed the cycle route at Newport Quay by the Bargeman's Rest.

These are under consideration at Brading Station, Rookley, Fort Victoria, Afton and elsewhere. This has been possible with the close support of Rights of Way staff and Natural Enterprise.

Planning Applications which involve any scale of development will add to road congestion and should consider access for active and sustainable travel from the outset as such provision cannot be added retrospectively. This involves new routes planned as part of a network. The

[Department for Transport guidance LTN 1/20](#) should be considered by the highway authority as part of the implementation. Cyclewight will recommend this when commenting on developments.

Questions:

The group were generally disappointed with the IWC piecemeal plans and how cycle routes are not joining up. It was agreed the chairman would write to Lee Matthews who is the person overseeing the [LCWIPS](#) within his role within the Regeneration Team. Once the LCWIPS are all in place they will be drawn together under one plan which will supplement the planning policy documents.

ACTION: Paul Fuller to write to Lee Matthews re the connectivity of future cycle routes.

IW Ramblers Association (Mike Slater)

The Ramblers are working on a Gaps & Links project, 2 areas have been investigated so far and they are moving onto a third, this could lead to a proper well-connected network. Mike will give a presentation at a future LAF.

IWALC (Helena Hewston)

IWALC members had an opportunity of some training on planning enforcement and are being asked by the IWC to pay towards a planning enforcement officer.

They are working with the IWC and continuing to take on services.

The Forestry Commission are not very visible but are working quietly in the background. They had taken enforcement action on a landowner who felled lots of mature trees, and the landowner now has to plant replacement oaks. Darrel also complimented the FC who were extremely helpful in working with RoW to create the bridleway at Parkhurst Forest over path CB5.

The [IWALC website](#) will be getting an overhaul.

Want to see vulnerable users (walkers, cyclist , horseriders) being able to get off roads – for example footpath G11 connects Gatcombe and Chillerton but is very narrow in places. To be able to negotiate and speak to landowner to create opportunities and permissive paths.

Any Other Business

None

Date of next meeting

2024 date to be arranged at such time Natural England can attend either via TEAMS or in person at the IW Community Club in Cowes