



Minutes & Information
1st Newport Scout Hall, Woodbine Close, Newport
Thursday 5 March 2020

Present at the meeting

Forum Members:

Mark Earp – Chairman – Landowner, **John Gurney-Champion** – Landowner
Alex Lawson – Cycling, **Steve Darch** - 4x4, **Cllr Paul Fuller** - Elected by IWC
Mike Slater – Ramblers, **Mick Lyons** – IWALC, **John Heather** – NFU

Others & Observers:

Jennine Gardiner-IWC PROW - LAF Secretary, **Darrel Clarke** – IWC Rights of Way Manager,
Gillian Belben – Gatcombe & Chillerton P/C, **Lorraine Sheerin** – Niton & Whitwell P/C,
Cindy Beckley – CLA, **Helena Hewston** IWALC, **Jan Brooks** - Observer / Isle of Access,
David Howarth – Ramblers, **David Cheek** – 4X4, **Graham Biss** – Gift to Nature,
Alison Bulpitt – Observer, **Trevor Ould** - Observer

Apologies

Penny Edwards – LAF / Carriage driving, **Tricia Merrifield** - LAF / Equestrians,
Dina Jung - Observer / Bus user

- **Confirmation of the Minutes of previous meeting** - Agreed
- **Declarations of interest** - None

Updates from last meeting

Updates to tasks / matters arising from meeting 5 December 2019

Mark Earp reminded the group that he will step down as LAF Chairman from June 2020 meeting. Members need to consider who will take over as Chairman.

1. Graham Biss – [Natural Enterprise](#) & [Gift to Nature](#) Countryside Sites.

Graham Biss is the managing director of Natural Enterprise (formally known as Island 2000 Trust) and all its projects, which Gift to Nature (G2N) is one. At the June 2016 LAF meeting Matthew Chatfield updated the group on the recently outsourced Isle of Wight Council (IWC) Countryside Service, that had transitioned over to G2N.

Graham gave an update on the present situation. The charity is quite small, but it is surrounded by and filled with very good people who want to make a difference. G2N started in 1997 and was modelled on a Lake District “visitor pay back scheme”, this meaning that visitors choose to give money or other help to assist with the conservation of the places they visit.

There are 29 sites on the island. About 3 to 4 years ago G2N went into a partnership with the IWC and it has been a good partnership. The IWC has statutory duties it must fulfil but G2N can be involved with the private sector and give the sites all their focus and provide them an individual sense of identity. It is the third time the IWC has passed land/management to third parties, (National Trust was first and then the Hampshire & IW Wildlife Trust second) this left the last of the smaller sites that now G2N have taken over.

Funding: G2N still gets some funding from the IWC but it has reduced over the last 3 years, however this has just been renegotiated for another 3 years. Unlike the IWC G2N are free to try to get private funding. It costs approximately £120,000 per year to run the sites and each year this

target needs to be reached to keep the sites free and safe. The IWC have underinvested in their countryside sites over a very long period of time and G2N are now trying to catch up. G2N have a shop, its not a "charity shop" but it is a shop for the charity which sells a range of goods in line with the environment. There is a lot of fundraising carried out, and they actively apply for grant funding. Financially some Town and Parish Councils help, and parking meters have been put in at two car parks (Dodnor, off Riverway, Newport and Smugglers Haven off Leeson Road, Ventnor). They are always trying to find different ways to support the work of G2N.

Volunteers: Volunteers are always needed to manage sites. [The Green Gym](#) group is very highly thought of.

The sites: Within the 29 different sites, there is a mixture of woodland, downland and wetland, the priority is to keep them open, safe and well managed whilst trying to improve them alongside adopting high standards of environmental and conservation practices. If we are to have natural open green spaces with improved visitor experiences then the natural environment must be managed otherwise it will default into wilderness, but it is all about striking the right balance.

All the sites are quite small but are very important to the local community. The sites do attract a high level of anti-social behaviour and this is upsetting for the rangers and volunteers. When G2N first took on the sites 40% of the ranger's time was used for dealing with anti-social behaviour but sadly this has now increased to 75%. The anti-social behaviour varies: dog mess, bonfires, garden waste. Graham does have a positive spin on this as it indicates a measure of success, because with higher use comes more anti-social behaviour.

There have been some major improvements in the last couple of years. Last year Merstone Station was improved, and this winter's project is at Golden Hill Fort.

Golden Hill Fort is the largest site, the fort is in the middle surrounded by 20 hectares of land, but it was a site that lacked a heart. There is a lot of woodland which is very underused. G2N are improving the natural environment by enhancing the ponds, clearing scrub, opening up the woodland and undertaking accessibility work on the paths to encourage people to visit. The site's military history is being uncovered and with the installation of interpretation panels and the local heritage being revealed, there will be more reason for people to visit and the aim is to get more people to use the park. Subject to planning, a willow sculpture will be constructed, a willow maze natural sculpture.

Countryside Code for G2N sites. Graham doesn't want to be telling people what they can't do - so they have created Steps and Adders which is a fun way to inform people how to behave and how to enjoy the natural environment, as most misuse is down to ignorance. G2N receive complaints positively because if people complain it means that they care about the sites and G2N want to manage expectations as they are the custodians of the land for the future.

Re classifying the status of paths: A question was asked from the group regarding the up grading of paths running through the sites to accommodate more users i.e. footpath to bridleways / bridleways to restricted byways. Graham replied that this may be possible, but it would be a discussion for another time.

Tree planting: Another question from the group was in respect of tree planting. Graham replied that tree planting is fantastic, but they must be put in the right locations.

West Wight cycle track scheme: G2N has been working with landowners trying to secure consents and agreements, and so far there is quite good support but there is one piece missing from the jigsaw. The desire is to secure an end to end route, but it is at a sensitive stage, it is hoped negotiations can bring this to a conclusion.

2. Tennyson Trail – Re open for 4X4 use? The 4x4 club and numerous other organizations and individuals would like the prohibition of motor vehicle Traffic Regulation Order (TRO) revoked or amended to allow anyone to drive the trail (the Tennyson Trail is recorded on the definitive map as a series of Byways / B.O.A.T's meaning before the TRO motor vehicles could be lawfully driven along it). The 4x4 club consider that there is no

reason a permit system cannot be operated (there is already a permit system in place to allow blue badge holders or community use vehicles to lawfully drive along the byways within certain criteria and this is what they wish to be expanded).

Mark Earp was under the impression that the Police were unhappy with the Tennyson Trail TRO (although the Police have not had any such conversations with the IWC Rights of Way team). Darrel Clarke the Rights of Way Manager expressed concern as there are no staffing resources to expand the permit system to open it to everyone and so either the TRO is revoked and anyone can drive along the trail or it remains and the trail is limited to very light use constrained to helping disabled persons enjoy this route.

Action: Find out from the Police what it is they are unhappy with and gather evidence for the next meeting. The 4x4 club want to be present with any meeting with the Police

Update: Due to the coronavirus situation the Police are not having face to face meetings, so this will need to be put on hold for the moment. However, for information and reference (in readiness for discussion at the next meeting) the following documents are attached: Copy of the Tennyson Trail TRO. 2. Copy of the 2007 delegated decision report as this outlines the background and reasons for the TRO. Please read these and familiarise yourselves with the background.

3. Coast Path (ECP): There was a special meeting held on the 19th December 2019 at which John Taylor presented to the group most of the proposed route. The only outstanding section is the East Cowes floating bridge to Wootton Bridge section.

England Coast Path Usage: Natural England have reported that nearly 30 million walks demonstrates huge popularity of England's coastal paths. New figures showcase the health and economic benefits of walking on England's coastal paths - new figures published on the 26 December 2019 reveal the huge popularity of England's coastal paths with 29.1 million walking trips made over a six-month period, boosting local economies and bringing health and wellbeing benefits to visitors.

Data collected by Natural England shows the significant value of coastal walking for health and wellbeing, with 97% of people feeling refreshed and revitalised as a result of their visit.

The data revealed that visits boosted the economy by £350 million, with day-trippers spending on average £8.65 per day in coastal shops and overnight visitors spending on average £36.73. This supported more than 5,900 full-time equivalent jobs along the English coast.

Type of visitors: Half of visits to coastal paths are by local day visitors (living within 10 miles of the path). The smallest proportion of visits are from non-local day visitors (15%).

Compared to English National Trails, English coastal paths have a higher proportion of local day visits and overnight visits. Information obtained from: [The economic and health impacts of walking on English coastal paths: a baseline study for future evaluation \(NECR283\)](#)

Mark pointed out that the [HF Walking Holidays](#) hotel in Freshwater Bay attracts approximately 3500 per year, so the economic impact on the ECP to the Island could be huge.

Accessibility: Jan Brook was concerned that it would be impossible for disabled visitors to know what parts of the Island's coast path would be accessible to them. ECP guidance (see below) indicates there must be due regard for accessibility. On the IW route there will be no stiles as these have been swapped for gates, but at sites where livestock need to be controlled the gates will be kissing gates (which are impossible for those using wheelchairs). The [Natural England Approved scheme 2013](#) section 4.3 refer to the Convenience of the Trail. It states: For the route to be convenient, it should be reasonably direct and pleasant to walk along. **There should also be reasonable adjustments for disabled people and others with reduced mobility.**

Section 4.3.8 to 4.3.10 read:

Adjustments for disabled people and others with reduced mobility

4.3.8 We follow the principles set out in our publication "[By All Reasonable Means](#)" to

make the trail as easy to use as we reasonably can for disabled people and others with reduced mobility, whilst accepting that such opportunities will often be constrained by practical limitations, such as the rugged nature of the terrain or the availability of visitor transport and facilities. Where there is a choice of routes (after taking into account all the key principles in chapters 4 and 5 of the Scheme), we favour the one that is accessible to the widest range of people or most easily adapted for that purpose.

4.3.9 Throughout the trail, we avoid creating any unnecessary new barriers to access by choosing the least restrictive infrastructure that is practical in the circumstances. For example, where we install infrastructure in preparation for the introduction of the rights (or replace existing infrastructure, once it has reached the end of its useful life) we normally use:

- gaps to cross field boundaries where livestock control is not an issue;
- gates rather than stiles where livestock will be present, designed to enable access by people with wheelchairs; and
- graded slopes rather than steps if practicable.

4.3.10 Where appropriate, our proposals include further targeted adjustments to make the trail more accessible for people with reduced mobility. This may include improvements to the information available about those lengths of trail that are already accessible to a wide range of people. We also ask local representatives to help us identify, prioritise and design suitable and affordable physical improvements to the trail according to their local needs and the available budget. They might typically identify:

- particular sections of trail that are well-served by public transport and visitor facilities, but have physical barriers to access for people with reduced mobility which could realistically be removed; or
- sections with potential to provide key strategic links through adjustments that are readily achievable.

ACTION – How will the accessible stretches of coastal trail be identified? It was agreed that this matter will be discussed at the next meeting.

Sub-Groups: The Chairman reminded the group that there is the ability to form sub-groups for particular issues, such as access for mobility impaired or disabled users, this is a power the LAF members do not use.

UPDATE – the public consultation has now opened for the Isle of Wight proposed route (**but NOT the section between East Cowes and Wootton**). The consultation is open for public comments until Wednesday 13 May 2020, please take the time to read the documents and comment.

<https://www.gov.uk/government/publications/england-coast-path-on-the-isle-of-wight-comment-on-proposals> The reports include a section on accessibility considerations.

4. Chairman's Update – Mark Earp

BT phones boxes removed – The redundant modern grey boxes go to BT's Southampton depot and then to Doncaster to be scrapped. The red ones have been used for other purposes and any red ones now left will be used for defibrillators.

European tick: Public Health England have issued an alert that the European tick has been found in New Forest for the first time. This tick can give the encephalitis virus that attacks the brain, whilst the risk is low don't take any chances. <https://www.gov.uk/government/news/tick-borne-encephalitis-virus-detected-in-ticks-in-the-uk>

Cliff Edges: [Maritime & Coastguard Agency](#) have issued a serious warning to stay away from cliff edges and explore beaches safely and responsibly.

Next meeting at Brading Station this is because we are anticipating a high-level team from South West Trains to give update. Reopen lost lines.

UPDATE: Because of the coronavirus shut down that has happened since the LAF meeting the [Walking Festival](#) and the [IW coastal path challenge](#) have been postponed – they hopefully take place in the autumn.

Public Space Protection Orders (PSPO); the public consultation is now open and closes on Wednesday 30th June 2020 documents can be found at

And if you cannot complete the online survey your comments can be emailed to PublicSpaces@iow.gov.uk or write to the Isle of Wight Council, Recreation and Public Spaces, Floor 5, County Hall, High Street, Newport. PO30 1TY

There was some face to face drop in sessions organised at Town and Parish council offices, some of which did go ahead but the remaining ones have now been cancelled due to the coronavirus.

5. Group Updates

IWC Rights of Way - Darrel Clarke

Rights of Way Network Survey - The volunteer rights of way network survey has started to take place and we are always looking for more volunteers to help with this. For information a copy of the survey pack is attached to the end of these minutes, should anyone like to help. If you do want to help, please email rightsofway@iow.gov.uk

Rights of Way Volunteer working parties – working with the maintenance team these groups are due to restart (postponed now due to coronavirus) – but will resume when everything is back to normal. The IW Ramblers have a new person who will coordinate the volunteers and set a date for the volunteers to undertake work.

Landslip and problems: Lots of problem locations, due to the winter storm damage/coastal erosion, all of which are being monitored, a list of the sites (expected reopening times will now be delayed further due to the covid 19 crisis and lockdown).

Path No.	Location	Details of Damage	Current Action	Expected Reopening
T22	Alum Bay Steps	Erosion undermining steps	Contractor instructed to renew/realign	Early April
BB10 (1)	Forelands end	Loss of path due to landslip	Monitoring	May at earliest
BB10 (2)	Whitecliff Bay	Loss of path due to landslip	Monitoring - moving heras panels inland	open but monitoring
T16	Headon Warren	Loss of path due to landslip	Reopening unlikely due to lack of NT land to roll back.	Not known
BS103	Brook beach access	Loss of path due to landslip	Monitoring and negotiating with National Trust - install steps	May/June
F13	Brambles Chine slipway	Undermining due to sea damage and complete loss of beach access steps	Monitoring - planning new railings and new steps	Open but monitoring
BB7	Path above beach at Swains Rd	Path damaged by land movement	Monitoring - surface repairs	Summer (beach is available at most states of tide)
NT38	Castlehaven Caravan Park	Loss of path due to landslip	Closed – No reopening opportunity until caravans are removed	Not known
BS59	Grange Chine coastal path	Loss of path due to landslip	Negotiating with landowner to roll back	April/May

NATIONAL CYCLE NETWORK: The IW Cycle Forum was attended by IWC and Island Road executives. It was acknowledged that there are sections of the cycle network in very bad condition. We were told that some plans are funded in the coming year, and that if the Tour of Britain, proposed for September 2021, is approved by the council then further improvements will go ahead. The Tour has now been approved so we hope that is the case. Some repairs have been carried out and the Blackrock Bridge near Alverstone has been replaced and re-opened and is easier to traverse.

PATHS 4 ALL: People Powered CIC along with Cyclewight members surveyed & proposed a number of possible upgrades from footpaths to bridleways. The IWC PROW department have visited all proposed routes. Two have been eliminated, as too narrow or too steep. Permissions and funding are now sought, and parish councils are to be contacted as part of our on-going commitment to the project.

The IWC LOCAL CYCLING & WALKING INFRASTRUCTURE PLAN: Having been vetted by DfT this is now expected to be approved by IWC. We hope to use it as a basis for schemes in Newport & Ryde.

ACCESS FUND: Funding for sustainable transport, due to end in March, has been extended for another year. The Workplace Engagement Programme will continue to assist businesses to prepare travel schemes, and training in cycling skills is provided to businesses & schools. Two Active Travel Officers are to be recruited.

2020 ISLE OF WIGHT RANDONNEE - This will take place on 3 May (now postponed / cancelled due to coronavirus). The event is normally on the Sunday of the bank holiday weekend, but the government has moved the holiday to the following weekend which is when the Mountbatten Centre Walk the Wight takes place. Last year numbers were around 3500 which was a record but is on the limit of what works. More info and registration at <https://www.cycleisland.co.uk/>

[IW 4X4 Club](#) – see Tennyson Trail in point 2 above.

Bridleway Group – None

Landowner – [NFU](#) & [CLA](#) - None

[IW Ramblers](#) - **Ramblers road shows** are taking pace around the county which are training days. There will be a Road show at Northwood House 2 May 2020 linked to start of walking festival. Anyone who would like to attend can register, free of charge. Lots of skill building sessions.

UPDATE – Sadly the roadshows have been postponed, possibly to October, due to the coronavirus

6. Any Other Business

Mr John Gurney-Champion gave his resignation from the LAF. John was one of the first LAF members and has been with us from the very first meeting on the 30th July 2003

Isle of Wight Association of Local Councils ([IWALC](#)) Helena gave the group an update of the IWALC meeting of the 27th February 2020 at which Richard Tyldsey from the bus company [Southern Vectis](#) (SV) talked to them (Richard spoke to us at the September 2019 LAF meeting).

Facts and figures:

- The IWC stopped any funding to SV in 2015
- It costs £170,000 **per week** to run **one** bus on a single route
- 70% of the revenue comes from paying customers
- 20% to 25% comes from concessionary fares
- In October a bus strategy will begin
- Contrary to people's conceptions that bus fares on the Island are higher than other areas, it can be shown to be **cheaper** than believed and represents excellent value.
- 80% of public transport in the UK is by bus.
- The Government is spending £5 billion over the next five years to improve services.

- Electric buses are being trialled although not on the Island.
- Electric buses, hybrids and hydrogen fuelled buses are being looked at.
- Batteries for electric buses last around five years and new ones cost £60,000. There is also the problem of disposal of old batteries
- Contrary to popular myth, a modern diesel fuelled bus produces less emissions than a family Ford Focus.

Questions and Comments (from the IWALC meeting)

Q. No bus services through Havenstreet – in the past the school bus picked up members of the general public, but this has stopped. Why?

A. Safe-guarding issues are responsible for this.

Q. Can we create safer bus stops?

A. Notifications of unsafe bus stops need to be fed back to SV <https://www.islandbuses.info/contact>

Q. Should passengers travel for free on the number 6 route on Sunday in Winter?

A. No, when setting the charge to the contributing Parish Councils along the route, the fares have been factored into the charges. Therefore, if passengers were to travel for free, the cost to operate the route would increase.

- On-Demand buses are being [trialled in Oxford](#).
- Can less harsh lighting be introduced along with better suspension?
- The free Wi-Fi produces high electromagnetic levels

The LAF wondered if there was an Independent or National bus users' group, which oversees bus companies.

Public Footpath V107 – This path runs between Leeson Road and The Pits in Ventnor and falls into the Island Roads network. It was closed around September 2019 because a private retaining wall started to collapse and was compromising the safety of the path. Island Roads appeared unwilling to take action on the landowner and there was concern that this path would not reopen promptly. However, we are pleased to report that the retaining wall has been repaired and the path is now open.

[IW Car Club](#) – Sprint along Sandown seafront set to take place at end March had over 100 competitors. **(now cancelled / postponed due to coronavirus)**

[Beer, Buses and Walks](#) – We don't know if the popular IW Classic buses, beers and walks will be proceeding yet (due to the coronavirus situation), but as this is not until October hopefully it will proceed. As there was some unruly behaviour last year, bouncers may need to be present on the buses!

Guides to walks classed as General, Accessible, and Historic are available to download. The latter detail routes to past and present pubs and breweries and are produced by CAMRA along with the Brewery History Society and various island historians and heritage societies. Link to the walks page: <https://iwbeerandbuses.co.uk/walks.php>

[The Green Lane Association Limited \(GLASS\)](#) has asked for articles for their bulletin. They have said that anyone who feels like writing about their experiences of exploring old roads or researching routes, or even experiences of trucks owned over the years then they should get in touch - they need a minimum of 800 words and a hi-res image; email Dale Wyatt, GLASS Editor editor@glass-uk.org

[Freewight.org.uk](#) is a website that has been set up to compile things to do or see on the island that are interesting and **free**. If you have any special places you like to visit, things you like to do or go and see then let them know what it is, where it is and send a written report and a good quality photo.

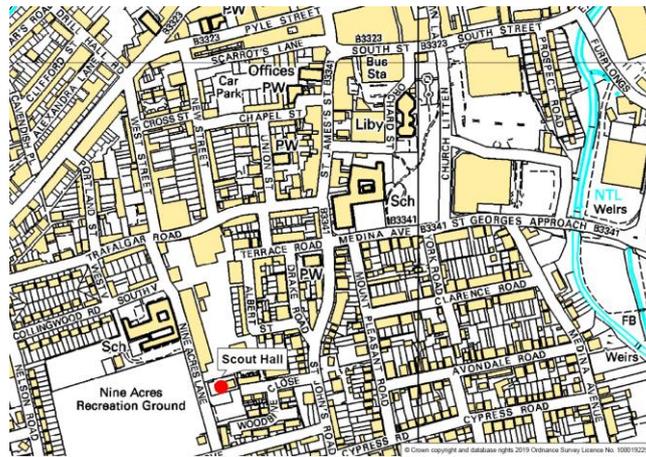
Winter Game Bird Shooting Gatcombe and Chillerton – There has been an increase in the number of shooting days, sometimes it is every day and can be over 5 different locations at once. The noise disruption is becoming a serious issue. The Parish Council had written to all shoot managers last year but got no reply and will be writing again this year - the parish council merely

wish to know when the shooting programmes are, so people can be prepared, no one is looking to stop it. But the shoot managers are ignoring the parish council and residents. The NFU advised that the landowners are perfectly within their rights to continue to run their shoots and will do so.

It was thought that any noise regulations information might be found on the [Game & Wildlife Trust](#) website.

However, it was assumed that animal rights activists might target landowners if they know the dates of the shoots and this might be why the shoot managers are refusing to communicate with the parish council.

2020 Meetings
4pm Thursdays @
June meeting will be at Brading Station
Thursday 4th June 2020
Thursday 3rd September 2020
Thursday 3rd December 2020



LAF list of regularly used abbreviations and words:

AONB = Area of Outstanding Natural Beauty. IW AONB team can be contacted at Branstone Farm, Branstone, Sandown, Isle of Wight PO36 0LT Telephone 01983 823855 or Email AONB@IOW.GOV.UK Website www.wightaonb.org.uk

Capital = the money which is allocated for network improvements over and above general maintenance and repairs.

CIL = Community Infrastructure Levy - this is a planning charge to enable Local Authorities to deliver infrastructure to support development in their areas (also see S106).

CMT = Contract Management Team. CMT's are teams within the IW Council who deal with a particular contractor i.e. the Highways CMT deal with Island Roads and the Waste CMT deal with Amey.

Definitive = a definitive right of way is one that is recorded in the legal record of such ways i.e. the Definitive Map. The Definitive Map records Public Footpaths, Public Bridleways and Byways Open to All Traffic (no Restricted Byways are currently recorded on the Isle of Wight).

EWLP = East Wight Landscape Partnership www.downtothecoast.co.uk

IR = Island Roads is the name for the IWC Highway's Contractor. They can be contacted at: St. Christopher House, 42 Daish Way, Newport, Isle of Wight, PO30 5XJ or Telephone 01983 822440 or email info@islandroads.com Website: www.islandroads.com

IWC = Isle of Wight Council. Address: County Hall, High Street, Newport, Isle of Wight, PO30 1UD or Telephone 01983 821000 + add the extension when prompted if you know it or Email customer.services@iow.gov.uk or the specific service's email if you know it. Website www.iwight.com

Permissive = a permissive path is one that a landowner allows the public to use in a certain way (i.e. walking, cycling, horse-riding) but the route is dedicated to the public. It is not therefore recorded on the Definitive Map. The landowner can withdraw their permission for the public to use it at any time.

PROW = Public Rights of Way recorded on the Definitive Map. The IWC Rights of Way team can be contacted at County Hall or Telephone 01983 821000 X 8745 or email Rightsofway@iow.gov.uk Website www.iwight.com/Residents/Rights-of-Way/Public-Rights-of-Way/About

Revenue = the money which is allocated for general repair and maintenance, staff costs and normal reoccurring bills and running costs.

ROWIP = Rights of Way Improvement Plan. Every local authority must have a ROWIP. This document is reviewed every 10 years and it will explain how improvements will be made to the PROW network to provide a better experience for walkers, cyclists, horse riders,

horse and carriage drivers, people with mobility problems and people using motorised vehicles. The original IWC ROWIP can be viewed on the Council website: www.iwight.com/azservices/documents/2782-D6-Rights-of-Way-Improvement-Plan.pdf

S106 = Section 106 is an agreement between a Local Authority and a developer in connection with a planning permission and generally provides for works to be undertaken or payments to be made to the Local Authority for specific purposes. S106 must be directly relevant to the proposed development.

Delegated decision report

DECISION UNDER DELEGATED POWERS

DECISION CANNOT BE TAKEN BEFORE FRIDAY, 3 AUGUST 2007

Title

TENNYSON TRAIL TRAFFIC REGULATION ORDER

Report to the Cabinet Member for Environment and Transport

Purpose

1. To decide whether to confirm, confirm with amendments, or not to confirm, the Traffic Regulation Order (TRO) banning mechanically propelled vehicles from the byway open to all traffic known as the Tennyson Trail.

Outcomes

2. The management of vehicular traffic on the Tennyson Trail in order to preserve the route and protect part of the Island's natural and historic environment

Background

3. The Tennyson Trail ("the Trail") is a route along the downland ridge between Nodgham Lane, Carisbrooke and Freshwater Bay (see Map 1). It is recorded on the definitive map as a byway open to all traffic. This means that all motor vehicles currently have a right to use it by virtue of ancient established rights. It is primarily used by the public as a footpath and bridleway. The surface of the Trail is unsealed.

4. Damage to the Trail and property adjacent to it has prompted the Isle of Wight Council to consider whether or not motor vehicle access to the Trail should be restricted through the implementation of a Traffic Regulation Order (TRO).

5. The Police were consulted on 6 January 2006 and other interested parties on 23 March 2006. Having considered the responses to the consultation the Council advertised a draft TRO on 11 August 2006.

Strategic Context

6. The entire length of the Trail passes through an Area of Outstanding Natural Beauty (AONB). Under the Countryside and Rights of Way Act 2000, in exercising or performing any functions affecting an AONB, the council is under a duty to have regard to conserving and enhancing the natural beauty of the AONB.

7. From the Jubilee Car Park to the Military Road at Freshwater Bay, a distance of about 4½ miles (sections 2 and 3 on Map 1), the Trail passes, for most of its length, through the Mottistone Down and Compton Down Sites of Special Scientific Interest (SSSIs), designated for their value as species-rich chalk grassland. The

council has a duty under the Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act 2000, in exercising its statutory functions, to further and enhance the nature conservation interests of SSSIs.

8. The abovementioned SSSIs form an integral part of the Isle of Wight Downs Special Area of Conservation, a European Site under the EC Habitats Directive as implemented by the Conservation (Natural Habitats) Regulations 1994. Regulation 3(4) requires the Council, as Competent Authority, to have regard to the requirements of the Habitats Directive so far as they be affected by the exercise of those functions with respect to European Sites. The main aim of the EC Habitats Directive is 'to maintain and restore natural habitats and wild species at a favourable conservation status' (Joint Nature Conservation Committee advice on Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora). This duty reinforces the existing duty of protection towards sites designated SSSIs under national legislation.
9. The protection of the Island's natural and historic environment is a theme of the Council's Community Strategy and Corporate Plan.
10. The Council's Rights of Way Improvement Plan, prepared under the Countryside and Rights of Way Act 2000, advocates managing the byway network through education, a code of conduct and partnership working with user groups and the police. This reflects the government's statutory guidance on the preparation of Rights of Way improvement Plans which states "wherever possible proposals for improving rights of way should not unduly benefit one class of user at the expense of another. Improvements that are intended to benefit cyclists, harness-horse drivers, horse riders or walkers should not unduly restrict lawful motorised use of public vehicular rights of way" (*Rights of Way Improvement Plans Statutory guidance to Local authorities in England*; Defra 2002).
11. However, in the national context the government passed legislation in 2006 removing the right to use mechanically propelled vehicles on certain categories of highway known as roads used as public paths (it was already an offence to drive on a footpath or bridleway). However, it was decided not to extend the ban to byways open to all traffic (of which the Tennyson Trail is one), stating "where use by mechanically propelled vehicles is not sustainable, local authorities can use existing measures available to them to restrict or prevent vehicle use" (*Use of mechanically propelled vehicles on Rights of Way*; Defra 2005). One such measure is a Traffic Regulation Order.
12. The Police
Consultation has taken place over the last two and half years, including two public exhibitions in Ryde. The police are opposed to a TRO on the grounds that there have been no recorded collisions on the route and their resources are prioritised towards casulty

Consultation

reduction. Enforcement would be complicated by legitimate access to adjacent land. Educational, engineering and publicity measures are suggested.

13. Parish Councils

Brighstone Parish Council are in favour of a total vehicular ban, excluding farm vehicles. Calbourne Parish Council are in favour of a TRO, however wish to leave the details to the Isle of Wight Council. Freshwater Parish Council has suggested that only vehicles with licences be allowed to use the Trail, in daylight hours, with marshalling.

Freshwater Community Initiative are in favour of a total vehicle ban on the grounds of preserving the character of the landscape, the surface of the Trail and enjoyment of other users.

14. Local Access Forum

Supports a year-round ban on all motor vehicles except for agricultural and forestry access

15. AONB Partnership

Supports a year-round ban on all motor vehicles. Attempts to manage the impact of motor vehicles through the Tennyson Trail Task Group have not been successful and therefore the ban is sought on the grounds of protecting the landscape.

A separate response has been submitted on behalf of the Tennyson Trail Task Group. The group was unable to reach a consensus, however wished to acknowledge its appreciation of the contribution of off-road motoring organisations in promoting responsible use and the voluntary restraint exercised in wet weather.

16. Statutory Conservation Agencies

Both English Nature and English Heritage support a total ban on motor vehicles on the grounds of safeguarding the protected sites adjacent to the Trail.

17. User Groups

Responses were received from the following groups representing motorised users: IW Motorcycle Club, Trail Riders Fellowship, Vectis Island Pioneers Motorcycle Club and Vectis Landrover Club. They argue that a TRO would have little effect on law-breakers, however that it would penalise law abiding drivers. They acknowledge that vehicle use in wet weather causes the highest level of wear and tear and, should the council decide to make a TRO, a seasonal ban, rather than year-round exclusion is suggested. Motorcyclists argue that their machines do less damage than 4WDs so would prefer a weight restriction which allowed motorcycle use.

18. Landowners

Responses were received from: the Forestry Commission, the

National Trust, Freshwater Bay Golf Club, Strutt and Parker, Colonel McKenzie-Walker and Mr Michael Poland. All are in favour of a total ban on motor vehicles. In support of their arguments they cite incidents of damage to property (including protected sites) and disturbance to wildlife, livestock and other users.

The National Farmers Union requested a TRO following the killing of livestock in December 2005.

Financial/Budget
Implications

19. All of the options have financial implications. If the TRO is confirmed either as it stands or in a modified form, it will need vehicle prohibition signs at the entry points where the restrictions apply. The maximum cost of these signs (if the order is confirmed as it stands) would be £2,000 which could be met from existing budgets. This cost is likely to be off-set in the long run by a reduction in surface maintenance costs.
20. Other options such as developing an education programme, voluntary restraint and using volunteers will have an impact on officer time.
21. Producing permits and managing a permit scheme would have a financial impact, however this would be offset through the levying of an annual charge per permit. Any such charge would be levied to cover the cost of administering the permit scheme.

Legal Implications

22. Section 22 of the Road Traffic Regulation Act 1984 allows the Local Authority to make a Traffic Regulation Order ("TRO") under Section 1 of the same act in respect of certain roads if it appears to the local authority expedient to make it for the purpose of conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area or recreation or the study of nature in the area.
23. The roads in relation to which such a TRO may be made are, amongst others, those in or forming part of, or adjacent to or contiguous with; an area of outstanding natural beauty, a nature reserve or an area of special scientific interest, a long distance route or land held inalienably by the National Trust.
24. The reference to conserving the natural beauty of an area includes a reference to conserving its flora, fauna and geological and physiographical features.
25. A TRO may make any provision prohibiting, restricting or regulating the use of a road, or of any part of the width of a road, by vehicular traffic, or by vehicular traffic of any class specified in the order. Vehicles can be excluded entirely to avoid danger to persons, other traffic, or for preventing the likelihood of any such danger arising, or for preventing damage to the road or buildings on or near a road.

26. A TRO which imposes any restriction on the use by vehicles of a road may include provision with respect to the issue and display of certificates or other means of identification of vehicles which are exempted from the restriction, whether generally or in particular circumstances or at particular times.
27. The Local Authority is under a duty to consider all the objections that have been made.
28. If an order is made the Local Authority is required to publish the effects of that order within 14 days and notify all persons that objected to the proposed order.
29. To confirm the TRO as it currently stands, thereby banning all vehicular traffic from using the trail.
30. To Modify the TRO with the following amendments:
 - The Trail to be closed to all motorised vehicles from 1 October to 31 March each year to prevent damage to the trail.
 - Annual permits may be issued to private vehicles which hold a blue disabled badge allowing use of the trail between the months of April and September inclusive.
 - Annual permits may be issued to taxis and community vehicles to allow people who are otherwise unable to do so to enjoy the trail between the months of April and September inclusive.
31. Not to confirm the TRO, thereby allowing unrestricted use of the Trail by motorised vehicles.

Options

Risk Management

32. Comparison of the condition of the Trail in 2006 to its condition in 1991 shows that the surface has deteriorated considerably in that 15 year period. There has been a significant loss of chalk grassland within the SSSIs and a general deepening of ruts to the extent that the landscape of the AONB can be shown to have degraded. A TRO would allow the chalk grassland to regenerate improving the quality of the SSSI and the AONB. It may also allow the protective fencing around the Scheduled Ancient Monuments to be removed in due course, further enhancing the quality of the AONB. Therefore, confirmation of the TRO would accord with the Council's legal obligations in connection with the SSSIs and the AONB.
33. Extensive repairs to Section 1 of the Trail were carried out by the Council in 2002 at a cost of £50,000. To sustain this standard of repair at an acceptably economic cost, an exclusion of vehicle traffic during the winter months is required.
34. The council has records of motor vehicles leaving Section 1 of the Trail and trespassing on adjacent land causing damage to Scheduled Ancient Monuments (SMRs), private property and livestock. To mitigate this problem on the land which it manages the Forestry Commission has installed barriers in Brighstone Forest to prevent trespass and damage to SMRs. After some

initial failures, these measures have proved successful in preventing what was one of the main areas of illegal use accessed from the Byway. However, protection measures on any private property adjacent to the Trail will always be weakened by the fact that trespassers have points of access other than the Tennyson Trail itself.

Recommendation

35. It is recommended to implement the TRO with the following modifications:
- The Trail to be closed to all motorised vehicles from 1 October to 31 March each year to prevent damage to the trail.
 - Annual permits may be issued to private vehicles which hold a blue disabled badge allowing use of the trail between the months of April and September inclusive.
 - Annual permits may be issued to taxis and community vehicles to allow people who are otherwise unable to do so to enjoy the trail between the months of April and September inclusive.
 - All applicants for permits will sign an agreement to restrict their speed to 10 miles per hour or less at all times.

Additional Information

Rights of Way File – Traffic Regulation Order

Appendices

Appendix 1 – comparison of the surface of sections 2 and 3 in the year 1991 as against 2006.

Appendix 2 - comparison of the surface of section 1 in the year 1991 as against 2006.

Appendix 3 – vehicle barriers erected adjacent to the Trail on section 1 in Brighstone Forest.

Contact Point: Alex Russell (01983 857230) alex.russell@iow.gov.uk

STUART LOVE
Director of Environment and
Neighbourhoods

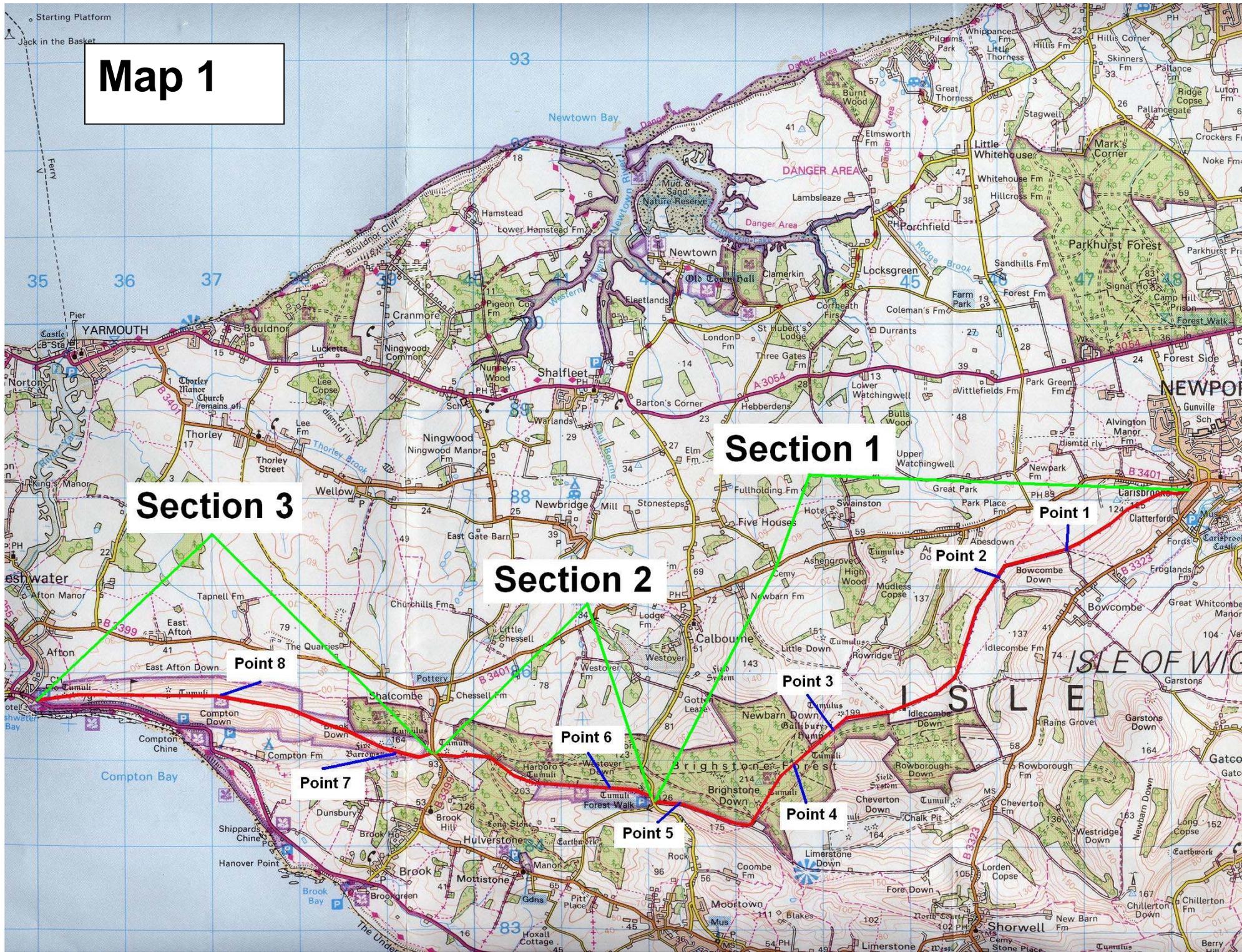
COUNCILLOR TIM HUNTER-
HENDERSON
Cabinet Member for Environment
and Transport

Decision

Signed

Date

Map 1



Point 6
Byway BS44



1991
Looking west



2006
Looking west

Point 7 Byway BS53



1991
Looking west



2006
Looking west

Point 8 Byway F33



1991
Looking west



2006
Looking east

Appendix 2 - comparison of the surface of section 1 in the year 1991 as against 2006

**Point 1
Byway N128**



1991



2006

Point 2 Byway N136a



1991



2006

Point 3 Byway N139



1991



2006

Point 4 Byway BS4



1991



2006

Point 5 Byway BS10



1991



2006

Vehicle Barriers Brighstone Forest



**THE ISLE OF WIGHT COUNCIL (TENNYSON TRAIL, IW)
(PROHIBITION OF DRIVING) ORDER NO 1 2006**

The Isle of Wight Council (hereinafter referred to as 'the Council') in exercise of their powers under Sections 1(1) and (2), 2(1) to (3), 3(2), 4(2) and 22 of the Road Traffic Regulation Act 1984 ('the Act') and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order:

1. Save as provided in Articles 2 and 3 of this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause or permit any mechanically propelled vehicle to proceed along Tennyson Trail, Isle of Wight as described in the Schedule to this Order at any time.
2. Nothing in Article 1 of this Order shall render it unlawful to cause or permit any vehicle to enter or proceed in the length of road specified insofar as it is necessary to enable the vehicle if it cannot be conveniently used for such purpose in any other road to be used in connection with :
 - (1) any building operation or demolition carried out in the said length of road;

Provided that in each case notice is given twenty-four hours in advance to the police, their consent is obtained and such reasonable conditions as they may impose are complied with, such consent not to be unreasonably withheld.
3. Nothing in Article 1 of this Order shall apply so as to prevent any person from causing any vehicle to proceed in the length of road specified in the Schedule, if that vehicle is being used :
 - (1) vehicles wishing to gain access to, or egress from, any private land or premises situated in the said length of road;
 - (2) for the removal of any obstruction to traffic or the maintenance, improvement or reconstruction of any of the said length of road;
 - (3) for the laying, erection, inspection, maintenance, alteration, repair, renewal or removal in or near the length of road of any sewer, main, pipe, conduit, wire, cable or other apparatus as defined in Schedule 2 to the Telecommunications Act 1984;
 - (4) by the Fire, Ambulance or Police in any emergency;
 - (5) for the purposes of refuse collection from any property or receptacle.
 - (6) Vehicles issued with an official Isle of Wight Tennyson Trail Permit. Permits will only be valid between 1st April to 30th September in every year and only issued to:
 - (i) private vehicles displaying a blue disabled badge;
 - (ii) taxis and community vehicles to allow people who are otherwise unable to do so to enjoy the trail.All permit holders will restrict their speed to 10 miles per hour or less at all times whilst driving on the Tennyson Trail.
4. The restrictions imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any regulations made or having effect as if made under the Act, as amended or by or under any other enactment.

5. This Order shall come into operation on the 16th day of November 2007 and may be cited as 'The Isle of Wight Council (Tennyson Trail, IW) (Prohibition of Driving) Order No 1 2006'.

THE SCHEDULE

Section 1

Byway Open to all Traffic N123/N128/N136a/N139/BS4 known as the Tennyson Trail and commencing at Nodgham Lane Carisbrooke approximately 102 metres south-west of its junction with High Street Carisbrooke and passing in a generally south-westerly direction for a distance of 6820 metres to its junction with Bridleway BS10 at the south-western corner of the reservoir enclosure on Brighstone Down and then turning in a west-north-westerly direction along Byway Open to all Traffic BS10 known as the Tennyson Trail for a further 1087 metres to meet Lynch Lane opposite its junction with Strawberry Lane 1359 metres north-west of its junction with Upper Lane Brighstone.

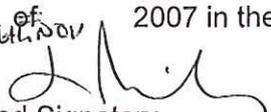
Section 2

Byway Open to All Traffic BS44/S26 known as the Tennyson Trail commencing at a gateway on the western boundary of Jubilee Car Park situated off Lynch Lane near its junction with Strawberry Lane in the parish of Brighstone and passing in a generally westerly direction for 2575 metres over Mottistone Down and Pay Down to join the B3399 road approximately 852 metres south of its junction with the B3401 in the area of Chessell.

Section 3

Byway Open to all Traffic BS53/F33 known as the Tennyson Trail commencing at its junction with Byway Open to all Traffic BS89 approximately 130 metres south-west of the B3399 road between Pay Down and Brook Down and passing in a generally westerly direction for 4561 metres over Brook Down, Compton Down and Afton Down to join the A 3055 Military Road 98 metres south-east of its junction with Southdown Road Freshwater Bay.

THE COMMON SEAL of THE ISLE OF
WIGHT COUNCIL was hereunto affixed
this day ^{16th} of ^{NOV} 2007 in the presence of :


Authorised Signatory

Isle of Wight Council

Public Rights of Way (PROW) network survey

Instructions and Health & Safety

1. Purpose and aims

A survey to assess the condition of the PROW network and to compile a full asset register. Data recorded by volunteers will be digitally mapped to provide a register of condition and structures (e.g. gates, stiles, bridges etc). The data will assist in the planning of maintenance programmes and assessing the cost of keeping the network in good order. Problems found when surveying will be assessed by PROW and dealt with appropriately according to severity. The PROW service very much appreciates your help and wishes to thank you for your time and effort in helping us to achieve our aims.

2. Procedure

Volunteers to walk a specific path(s) and to note their findings on a simple survey form with an attached map. The survey form will capture the location of all structures and any problems on a route in a clear and easy to understand format.

3. How to do the survey

Map: Using the map choose which end of the path you will start and mark this as “1” on the map. Walk the route and mark numbers on the map as you go, in consecutive order, to indicate any structures or problems that you find.

Survey form: Using the same numbering as on the map give a text description of what is at the numbered points, and if in a poor (replace or repair immediately), fair (attention required but usable) or good condition (suitable and safe for use).

Photos: Photos enable us to locate a problem and also provide visual evidence of a feature or problem on a particular date. Most people have a camera on their mobile phone and access to email, so sending photos should be easy. Two photos will be required: a close up of the problem and another taken further back of the general location are most helpful. Don't forget to reduce the size of the image before emailing - each photo byte size to be approximately 500kb. Photos should be emailed to rightsofway@iow.gov.uk

What is a structure: A structure is something man made which is along or across the route, such as, but not limited to: boardwalks, bridges (of all types and sizes), gates, signposts (metal and timber) signs, steps, stiles, barriers (staggered), bollards, seats, bins.

Signposts: There should always be a road end signpost (metal post with finger/arm sign) to indicate the start of the path where it leaves a metalled (tarmac) road. If one is not present, please record this.

Problems/Obstructions: An obstruction is an instance or item that will stop a user and force them to turn back or deviate considerably from the line of the path. A path should be free from obstructions and other interference and this includes overgrown or overhanging vegetation. Obstructions can
Standard Operating Procedure – Public Rights of Way volunteer network survey

also take the form of a path in a field which has been ploughed (without a level margin or wheel line being provided) or crops growing on the line of a path. Other obstructions include electric fencing across a path without required measures (see health and safety information at appendix 2), temporary items e.g. an abandoned car, illegal or misleading signs, animals which are intimidating and would prevent a person continuing along a path. Physical problems include out of repair surfaces - flooded, boggy and rutted; barbed wire in the vicinity of the path which could cause harm to users; encroachment/narrowing of the path e.g. garden fencing. It should be remembered that on a footpath passage should be possible on foot; bridleway on foot, horseback and on bicycle; and on a byway for all users including horse and carriage and motor vehicles. Horse riders require at least 10ft (3m) headroom.

4. Volunteer responsibilities and other important information

Reporting urgent defects or problems: Any defects or problems that need urgent attention (i.e. you feel it will pose a significant risk of injury if not attended to) should be made known to the PROW team ASAP; an email should be sent to rightsofway@iow.gov.uk with a photo of the problem and a photo of the survey map. Please advise in your email of the location of the defect (quote its number on your map).

What you will need to do the survey: A clip board, pen, mobile phone (with camera), suitable walking footwear. Possibly an additional Island map (paper or digital) of your choosing if you are unfamiliar with the area you are walking.

Returning the survey forms: Volunteers are asked to please return the survey forms and maps at regular intervals (please don't hoard them for months!); **Where to return them:** If and when you are in Newport you can put them through the letter box of County Hall in an envelope addressed to Rights of Way Team, County Hall, Newport, PO30 1UD. Or if you have access to a scanner, scan the paperwork and email it to rightsofway@iow.gov.uk. Likewise, a clear photograph of the completed paperwork can be emailed to us.

Comply with the Countryside Code: Please familiarise yourself with the Countryside Code (appendix 1, attached).

Be aware of Risks and Dangers: We wish you to be safe when surveying and have therefore provided details of dangers and problems that you may encounter. Please read the information sheet – what to expect (appendix 2 (attached) and risk assessment at appendix 3 (attached) and the linked publications. If you do not have access to the internet or in the event of any broken links please let us know so that we can provide you with paper copies.

Insurance: You are **NOT covered for personal liability** cover under the Isle of Wight Council's insurance. You do not need to have business cover insurance on your motor vehicle to drive/ride to the starting point of the survey (as you are doing this for leisure and pleasure).

Expenses: Reasonable and legitimate travelling costs can be claimed but our budget is limited (hence why we are using volunteers for this process). The PROW team will require evidence of bus fares and/or mileage. Mileage is paid at 45 pence per mile. The requests for travel reimbursement will need to be sent to Jennine Gardiner along with your banking details and mileage / bus tickets (unless you are IWC staff where a different procedure will apply). A minimum of £30.00 should be

accumulated before submission. We will not reimburse food, drink, taxi fares, shoes or clothing or any other accessories.

5. Contacts

Your contact at the PROW team is Jennine Gardiner, Rights of Way Assistant. Email rightsofway@iow.gov.uk Tel. 01983 821000 ext. 8745. In her absence or in the event of an emergency the same email address can be used – The Rights of Way Manager (Darrel Clarke) can be contacted on ext. 8776.

We hope that you will find the surveying both enjoyable and rewarding. The health and safety information at appendices 2 and 3 is important so please read it before you commence your surveys and refresh yourself on the contents periodically. However, the countryside and the network of paths is generally a safe and enjoyable environment. Thank you for your assistance.



The Countryside Code

Respect other people

Please respect the local community and other people using the outdoors. Remember your actions can affect people's lives and livelihoods.

Consider the local community and other people enjoying the outdoors

- Respect the needs of local people and visitors alike – for example, don't block gateways, driveways or other paths with your vehicle.
- When riding a bike or driving a vehicle, slow down or stop for horses, walkers and farm animals and give them plenty of room. By law, cyclists must give way to walkers and horse-riders on bridleways.
- Co-operate with people at work in the countryside. For example, keep out of the way when farm animals are being gathered or moved and follow directions from the farmer.
- Busy traffic on small country roads can be unpleasant and dangerous to local people, visitors and wildlife - so slow down and where possible, leave your vehicle at home, consider sharing lifts and use alternatives such as public transport or cycling. For public transport information, phone Traveline on 0871 200 22 33 or visit www.traveline.info.

Leave gates and property as you find them and follow paths unless wider access is available

- A farmer will normally close gates to keep farm animals in, but may sometimes leave them open so the animals can reach food and water. Leave gates as you find them or follow instructions on signs. When in a group, make sure the last person knows how to leave the gates.
- Follow paths unless wider access is available, such as on open country or registered common land (known as 'Open Access land').
- If you think a sign is illegal or misleading such as a 'Private - No Entry' sign on a public path, contact the local authority.
- Leave machinery and farm animals alone – don't interfere with animals even if you think they're in distress. Try to alert the farmer instead.
- Use gates, stiles or gaps in field boundaries if you can – climbing over walls, hedges and fences can damage them and increase the risk of farm animals escaping.
- Our heritage matters to all of us – be careful not to disturb ruins and historic sites.



Protect the natural environment

We all have a responsibility to protect the countryside now and for future generations, so make sure you don't harm animals, birds, plants or trees and try to leave no trace of your visit. When out with your dog make sure it is not a danger or nuisance to farm animals, horses, wildlife or other people.

Leave no trace of your visit and take your litter home

- Protecting the natural environment means taking special care not to damage, destroy or remove features such as rocks, plants and trees. They provide homes and food for wildlife, and add to everybody's enjoyment of the countryside.
- Litter and leftover food doesn't just spoil the beauty of the countryside, it can be dangerous to wildlife and farm animals – so take your litter home with you. Dropping litter and dumping rubbish are criminal offences.
- Fires can be as devastating to wildlife and habitats as they are to people and property – so be careful with naked flames and cigarettes at any time of the year. Sometimes, controlled fires are used to manage vegetation, particularly on heaths and moors between 1st October and 15th April, but if a fire appears to be unattended then report it by calling 999.

Keep dogs under effective control

- When you take your dog into the outdoors, always ensure it does not disturb wildlife, farm animals, horses or other people by keeping it under **effective control**. This means that you:
 - keep your dog on a lead, or
 - keep it in sight at all times, be aware of what it's doing and be confident it will return to you promptly on command
 - ensure it does not stray off the path or area where you have a right of access

- Special dog rules may apply in particular situations, so always look out for local signs – for example:
 - Dogs may be banned from certain areas that people use, or there may be restrictions, byelaws or control orders limiting where they can go.
 - The access rights that normally apply to open country and registered common land (known as 'Open Access' land) require dogs to be kept on a short lead between 1 March and 31 July, to help protect ground nesting birds, and all year round near farm animals.
 - At the coast, there may also be some local restrictions to require dogs to be kept on a short lead during the bird breeding season, and to prevent disturbance to flocks of resting and feeding birds during other times of year.
- It's always good practice (and a legal requirement on 'Open Access' land) to keep your dog on a lead around farm animals and horses, for your own safety and for the welfare of the animals. A farmer may shoot a dog which is attacking or chasing farm animals without being liable to compensate the dog's owner.
- However, if cattle or horses chase you and your dog, it is safer to let your dog off the lead – don't risk getting hurt by trying to protect it. Your dog will be much safer if you let it run away from a farm animal in these circumstances and so will you.
- Everyone knows how unpleasant dog mess is and it can cause infections, so always clean up after your dog and get rid of the mess responsibly – 'bag it and bin it'. Make sure your dog is wormed regularly to protect it, other animals and people.



Enjoy the outdoors

Even when going out locally, it's best to get the latest information about where and when you can go. For example, your rights to go onto some areas of Open Access land and coastal land may be restricted in particular places at particular times. Find out as much as you can about where you are going, plan ahead and follow advice and local signs.



Plan ahead and be prepared

- You'll get more from your visit if you refer to up-to-date maps or guidebooks and websites before you go. Visit www.gov.uk/natural-england or contact local information centres or libraries for a list of outdoor recreation groups offering advice on specialist activities.
- You're responsible for your own safety and for others in your care – especially children – so be prepared for natural hazards, changes in weather and other events. Wild animals, farm animals and horses can behave unpredictably if you get too close, especially if they're with their young – so give them plenty of space.
- Check weather forecasts before you leave. Conditions can change rapidly especially on mountains and along the coast, so don't be afraid to turn back. When visiting the coast check for tide times at www.ukho.gov.uk/easytide, don't risk getting cut off by rising tides and take care on slippery rocks and sea-weed.
- Part of the appeal of the countryside is that you can get away from it all. You may not see anyone for hours, and there are many places without clear mobile phone signals, so let someone else know where you're going and when you expect to return.

Follow advice and local signs

England has about 190,000 km (118,000 miles) of public rights of way, providing many opportunities to enjoy the natural environment. Get to know the signs and symbols used in the countryside to show paths and open countryside.

Some of the symbols you may see



Footpath – open to walkers only, waymarked with a yellow arrow.



Bridleway – open to walkers, horse-riders and cyclists, waymarked with a blue arrow.



Restricted byway – open to walkers, cyclists, horse-riders and horse-drawn vehicles, waymarked with a plum coloured arrow.



Byway Open to All Traffic (BOAT) – open to walkers, cyclists, horse-riders, horse-drawn vehicles and motor vehicles, waymarked with a red arrow.



National Trail Acorn – identifies 15 long distance routes in England and Wales and the England Coast Path. All are open for walking and some trails are also suitable for cyclists, horse-riders and people with limited mobility. Check the National Trail website at www.nationaltrail.co.uk



Open Access land – 865,000 hectares of mountain, moorland, heathland, down land and registered common land (mapped under the Countryside and Rights of Way Act 2000) is available to people to walk, run, explore, climb and watch wildlife, without having to stay on paths. Similar rights are being extended in stages on coastal land in England (identified under the Marine and Coastal Access Act 2009). Check the Open Access web pages at www.openaccess.naturalengland.org.uk/wps/portal/oasys/maps/MapSearch for maps, information and any current restrictions in place.



A 'negative' access symbol – may be used to mark the end of area-wide access although other access rights may exist, for example public rights of way.

Countryside Code

– advice for land managers

Know your rights, responsibilities and liabilities

People visiting the countryside provide important income for the local economy. Most like to follow a visible route, prefer using proper access points like gates, and generally want to do the right thing – but they need your help.

- The Ordnance Survey's 1:25,000 maps show public rights of way and access land. These maps are not 'definitive'. If in doubt you can check the legal status of rights of way with your local authority. You can find out which areas of Open Access land are mapped under the Countryside and Rights of Way Act 2000 on the Open Access web pages at www.openaccess.naturalengland.org.uk/wps/portal/oasys/maps/MapSearch.
- For guidance on your rights, responsibilities and liabilities, contact your local authority or National Park authority. The Country Land and Business Association, www.cla.org.uk, 020 7235 0511 and the National Farmers' Union, www.nfuonline.com, on 024 7685 8500 can also offer advice.
- For specific queries about Open Access land, check the Open Access pages on GOV.UK at www.gov.uk/guidance/open-access-land-management-rights-and-responsibilities or contact the Open Access Contact Centre, on 0300 0602091.

By law, you must keep rights of way clear and not obstruct people's entry onto access land – it's a criminal offence to discourage rights of public access with misleading signs.

- Trespassing is often unintentional – for advice on tackling trespass contact your local authority (www.gov.uk/find-your-local-council).

Make it easy for visitors to act responsibly

Most people who visit the countryside are keen to act responsibly and problems are normally due to a lack of understanding. There are a number of ways you can help them to realise their responsibilities:

- Keeping paths clear and waymarks and signs in good order and up to date will help people stick to the right routes and access points. Contact your local authority or National Park Authority to find out what help is available.
- Where there is public access through a boundary feature, such as a fence or hedge, create a gap if you can – or use an accessible gate or, if absolutely necessary, a stile. When installing completely new gates and stiles, make sure you have the permission of the local authority.

- Encourage people to respect your wishes by giving clear, polite guidance where it's needed. For example, telling visitors about your land management work helps them to avoid getting in your way.

- Rubbish attracts other rubbish – by getting rid of items such as farm waste properly, you'll discourage the illegal dumping of rubbish and encourage others to get rid of their rubbish responsibly.

Identify possible threats to visitors' safety

People come to the countryside to enjoy themselves. They have the first line of responsibility to keep themselves and their children safe while there, but you need to ensure that your activities do not knowingly put them at risk.

- Consider possible man-made and natural hazards on your land and draw any 'hidden' risks to the public's attention.
- Try to avoid using electric fencing or barbed wire where people may accidentally touch it, particularly alongside narrow paths and bridleways.
- If electric fencing is used, ensure warning signs are visible.
- Use and store any chemicals or poisonous substances responsibly on your land. They may kill wildlife or cause harm to people or pets. Any pest control you undertake must be planned with this risk in mind.
- Animals likely to attack visitors should not be allowed to roam freely where the public has access – you may be liable for any resulting harm.
- Your duty of care under the Occupiers' Liability Acts of 1957 and 1984 depends on the type of access right people have – so it's important to know what rights, if any, apply to your land. By voluntarily dedicating land for permanent public access you may be able to reduce this liability.

Natural England is here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

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0300 0603900 or email: enquiries@naturalengland.org.uk

Produced jointly with Natural Resources Wales.

www.gov.uk/natural-england



The Countryside Code

Respect Protect Enjoy

Respect other people

- Consider the local community and other people enjoying the outdoors
- Leave gates and property as you find them and follow paths unless wider access is available

Protect the natural environment

- Leave no trace of your visit and take your litter home
- Keep dogs under effective control

Enjoy the outdoors

- Plan ahead and be prepared
- Follow advice and local signs

Appendix 3 - Risk Assessment

Public Rights of Way Volunteer Network Survey

ACTIVITY ASSESSED: Public Rights of Way volunteer network survey	SITE: Public rights of way (Islandwide) which are the responsibility of the Public Rights of Way Service.	ASSESSOR: Darrel Clarke, Rights of Way Manager, Public Rights of Way, Isle of Wight Council (Directorate of Neighbourhoods).
PURPOSE OF ASSESSMENT: To identify hazards affecting volunteer surveyors when inspecting public rights of way as directed by the Isle of Wight Council in accordance with the Standard Operating Procedure.	AIMS OF ASSESSMENT: To provide volunteers advice on control measures	ASSESSMENT DATE: September 2019 REVIEW DATE: Live document but no later than September 2020

No.	Hazard/Risk	Who might be harmed/how	Risk Control Measures	Source of further information/guidance (where applicable)
1	Communication and Lone Working	Volunteers/injury/lost/trapped	<p>Tell somebody where you are going and when you expect to be back and arrange a designated time for a “back safely” message or call.</p> <p>Take a mobile telephone (fully charged and consider if a power bank is necessary).</p> <p>Take a map and compass and/or gps enabled mobile phone or other device with mapping software.</p> <p>Take a survival/safety whistle/personal alarm.</p> <p>Take a basic first aid kit.</p>	https://www.gov.uk/government/publications/the-countryside-code
2	Trips and falls as a result of uneven and /or slippery ground; steep gradients. Holes made by animals or water, tree roots and other natural hazards.	Volunteers/fall/injury	<p>Wearing of good quality walking boots.</p> <p>Use of walking pole(s), stick.</p> <p>Remain vigilant of surface conditions at all times.</p> <p>See “Communication and Lone</p>	https://www.gov.uk/government/publications/the-countryside-code

			Working" above.	
3	Trips and fall as a result of dilapidated structures or slippery surfaces	Volunteers/fall/injury	<p>Do not use a structure if it appears unsafe - report to PROW.</p> <p>Check structure prior to accessing it (e.g. on a stile shake supporting posts and test footboards before applying full body weight).</p> <p>Use handrails (where available) on bridges, boardwalks, steps.</p> <p>Remember that timber surfaces are likely to be slippery when wet or leaf covered.</p> <p>Wearing of good quality walking boots.</p> <p>Use of walking pole(s), stick.</p> <p>See "Communication and Lone Working" above.</p>	https://www.gov.uk/government/publications/the-countryside-code
4	Weather	Volunteers/injury/illness	<p>Check MET office website prior to survey.</p> <p>Do not proceed in the event of a MET office weather warning.</p> <p>Be prepared: Dress accordingly and take appropriate clothing with you in the event of changeable weather being forecasted.</p> <p>Allow for suddenly worsening weather conditions.</p> <p>Hot weather: take drinking water, wear hat, use sun screen.</p> <p>Wet weather: Full waterproof gear advised.</p> <p>Cold weather: Hat, gloves, sufficient layering.</p>	https://www.gov.uk/government/publications/the-countryside-code

			<p>Strong winds: Avoid exposed areas e.g. cliff edge paths.</p> <p>Poor visibility – take a map, compass and/or gps enabled mobile phone or other device with mapping software.</p> <p>See “Communication and Lone Working” above.</p>	
5	Cliff edges, waters edge and landslips	Volunteers/fall/injury	<p>Keep away from cliff and water edges (be aware of undercutting but do not inspect)</p> <p>PROW policy in respect of cliff edge paths is for a clear 2m width to be available to walk along. If space is less than 2m do not proceed – report to PROW.</p> <p>Be particularly vigilant of surface conditions and for trip hazards near to cliff/waters edges.</p> <p>If land has slipped onto the path – do not proceed – report to PROW.</p> <p>See “Communication and Lone Working” above.</p>	https://www.gov.uk/government/publications/the-countryside-code
6	Trees and vegetation	Volunteers/injury from falling trees/branches or low level branches. Overgrown paths.	<p>Be vigilant in respect of trees within falling distance of path.</p> <p>Do not walk under or near a partly fallen tree/branch (report to PROW)</p> <p>Do not attempt to clear trees/branches that have fallen across a path (report to PROW)</p> <p>Paths can become overgrown and hazards can exist in terms of nettles, bramble, hawthorn. The wearing of prickle proof gloves is advisable to simply move vegetation aside but do not proceed if conditions are too overgrown and</p>	https://www.gov.uk/government/publications/the-countryside-code

			<p>surface conditions are not visible (report to PROW).</p> <p>Take a basic first aid kit.</p>	
7	Cattle (and other animals)	Volunteers/injury/death from intimidating or dangerous animals	<p>Be aware of the advice of the Health and Safety Executive for landowners in respect of cattle – link to the right.</p> <p>Ensure you know where your exit point from the field is.</p> <p>Do not walk between young calves and their mothers.</p> <p>Do not let your dog chase cattle.</p> <p>Be ready to let your dog off the lead or put it down if cattle approach (do not pick it up or hold it close when cattle approach).</p> <p>Turn to face approaching cattle, spreading your arms out and shout, do not run away but move to an exit point (or back to the entry point) carefully.</p>	http://www.hse.gov.uk/pubns/ais17ew.pdf
8	Working farms	Volunteers/injury from vehicles and machinery and articles	<p>Be vigilant of farming operations particularly the operation of machinery and vehicles in farm yards and fields.</p> <p>Make yourself aware of farming activities and safety – see link to the right.</p>	https://www.gov.uk/guidance/farm-health-and-safety
9	Roadside working without footway/pavement and Parking	Volunteers and other road users /injury/death – traffic	<p>Do not survey from/in the road/carrageway - if you are unable to survey the beginning of a path without entering the road e.g. where no pavement or verge is available then make a note of this on the survey form.</p> <p>Do not walk in a busy/fast road (i.e. where there is no available</p>	https://www.gov.uk/government/publications/the-countryside-code

			<p>pavement or suitable verge) in order to start or continue survey.</p> <p>Wear hi vis jacket or vest when walking in quieter roads to start or continue survey and have regard to the Highways Code - "Rules for Pedestrians"</p> <p>Park legally and safely in accordance with the Highway Code - "Waiting and Parking". Do not park on private land (unless public parking is expressly permitted).</p>	<p>https://www.gov.uk/guidance/the-highway-code</p>
9	Diseases, dangerous substances/materials, bites	Volunteers/injury/illness	<p>Ensure you are up to date on all usual immunisations.</p> <p>Do not investigate or touch any unknown or unusual substances or materials – report to PROW.</p> <p>Wear insect repellent.</p> <p>Take a basic first aid kit.</p>	<p>https://www.gov.uk/government/publications/the-countryside-code</p>
10	Fencing: barbed wire, electric fencing	Volunteers/injury	<p>Be vigilant of barbed wire on the sides of path and report to PROW any wire present on any structure (e.g. gate, stile or handrail).</p> <p>Do not attempt to climb over or under electric fencing. Insulated handles should be provided (see guidance to landowners in link to the right).</p> <p>Take a basic first aid kit.</p>	<p>https://www.iow.gov.uk/azservices/documents/1376-PROW-and-electric-fencing-v1.pdf</p>
11	Behaviour and conflict (aggression and violence by others)	Volunteers/injury	<p>Surveyors should conduct themselves in a competent and unprovocative manner in order not to provoke aggressive or other unacceptable behaviour from others. Do not react, keep calm, remove yourself from the situation.</p>	<p>http://wightnet.iow.gov.uk/documentlibrary/view/health-and-safety-manual-2-34-violence-aggression</p>

ROW Survey Form - To be used with supplied map. Map to be marked up numerically and observations detailed in chart below

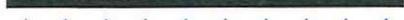
Location: 41 MILL ROAD, YARMOUTH

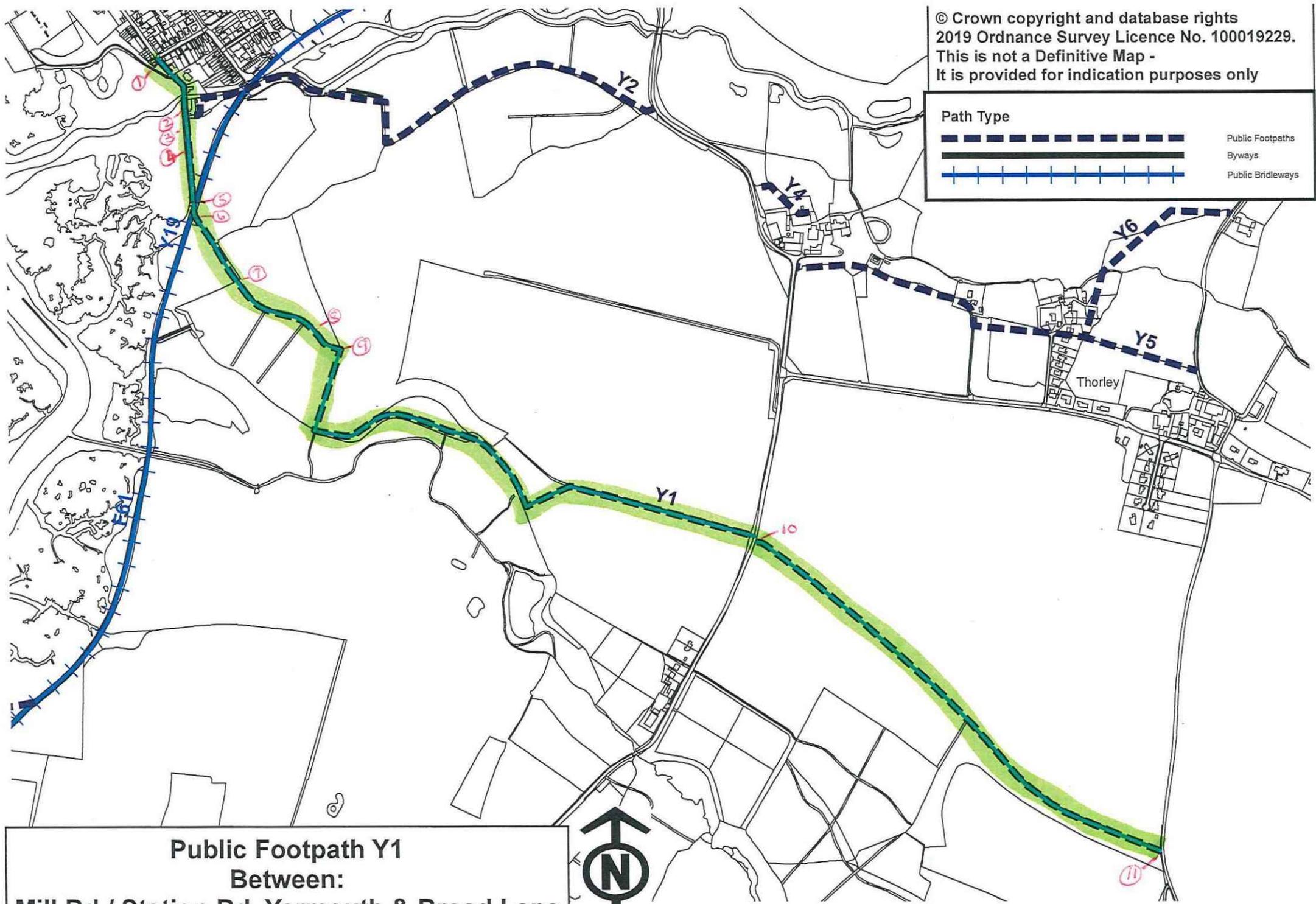
Date: 13.6.19.

Recorded by: [REDACTED]

Where? Map number	FOOTPATH	What?	DISTANCE: 2.5 Km.
1	MILL ROAD/STATION ROAD JUNCTION.	METAL POST + FOOTPATH SIGN. G.R. SZ 356 893	
2	LARGE WOODEN GATE/PART OF STILE - OLD MILL -	GR: SZ 356 893	
3	METAL POST + FOOTPATH SIGN JUNCTION 42.	G.R. SZ 355 894	
4	METAL POST - "DANGER DEEP WATER" SIGN	G.R. SZ 356 892	
5	SEAT, OLD METAL FARM GATE, JUNCTION WITH 419.	GR: SZ 356 891	
6	METAL POST + 2x ⁴¹⁹ BRIDLEWAY SIGNS, 2x 41 FOOTPATH SIGNS, "PICK UP AFTER YOUR DOG" SIGN	G.R. SZ 356 891	}
	METAL KISSING GATE, OLD METAL FARM GATE		
7	WOODEN KISSING GATE, WOODEN FARM GATE, "COUNTRY WATCH" INFORMATION BOARD, "WIGHT NATURE FUND"		
	MILL COPSE INFORMATION BOARD	GR: SZ 357 890	
8	WOODEN BENCH	G.R. SZ 358 889	
9	WOODEN KISSING GATE, <u>ONE POST VERY LOOSE AT GROUND LEVEL</u>	G.R. SZ 358 888	
10	METAL POST + 2x FOOTPATH SIGNS IN HEDGE	G.R. SZ 366 885	
11	METAL POST + FOOTPATH SIGN,	GR. SZ 373 880	
	NOTE! - VERY NARROW PATH FROM 9 TO 11, BECOMING OVERGROWN BY HEDGE BOTH SIDES. CAN BECOME VERY MUDDY		

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This is not a Definitive Map -
It is provided for indication purposes only

Path Type	
	Public Footpaths
	Byways
	Public Bridleways



Public Footpath Y1
Between:
Mill Rd / Station Rd, Yarmouth & Broad Lane

