

Coastal Access – Isle of Wight, IOW4 and IOW5

Representations with Natural England’s comments



March 2022

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1. Introduction

This document records the representations Natural England has received on the proposals in length reports IOW4 and IOW5 from persons or bodies. It also sets out any Natural England comments on these representations.

Where representations were made that relate to the entire stretch for the Isle of Wight they are included here in so far as they are relevant to lengths IOW4 and IOW5 only.

2. Background

Natural England’s compendium of reports setting out its proposals for improved access to the coast on the Isle of Wight, comprising an overview and 9 separate length reports, was submitted to the Secretary of State on 18 March 2020. This began an eight-week period during which representations and objections about each constituent report could be made.

In total, Natural England received 22 representations pertaining to length reports IOW4 and IOW5, of which 14 were made by organisations or individuals whose representations must be sent in full to the Secretary of State in accordance with paragraph 8(1)(a) of Schedule 1A to the National Parks and Access to the Countryside Act 1949. These ‘full’ representations are reproduced in Section 4 in their entirety, together with Natural England’s comments. Also included in Section 4 is a summary of the 8 representations made by other individuals or organisations, referred to as ‘other’ representations. Section 5 contains the supporting documents referenced against the representations.

3. Layout

The representations and Natural England's comments on them are separated below into the lengths against which they were submitted. Each length below contains the 'full' and 'other' representations submitted against it, together with Natural England's comments. Where representations refer to two or more lengths, they and Natural England's comments will appear in duplicate under each relevant length. Note that although a representation may appear within multiple lengths, Natural England's responses may include length-specific comments which are not duplicated across all lengths in which the representation appears. Where Natural England's comments and/or the text of the representation are the same for each length in which the representation appears, they will be produced in full only at the first occurrence. Thereafter, to save repetition Natural England's comments and/or the representation text will refer to the first occurrence.

4. Representations and Natural England's comments on them

Length Report IOW 4

Full representations

Representation number:

MCA/IOW Stretch/R/1/IOW3910

Organisation/ person making representation:

[REDACTED] on behalf of Bird Aware Solent

The Solent Recreation Mitigation Partnership, a partnership comprising of the fifteen Solent local authorities (some of whom are themselves in the "full" category as Access Authorities), Natural England, the Royal Society for the Protection of Birds, the Hampshire & Isle of Wight Wildlife Trust, and Chichester Harbour Conservancy. The Partnership for South Hampshire provide political governance for the Solent Recreation Mitigation Partnership. This response is submitted with their support and backing, as such we are treating it as a "full" representation.

Route section(s) specific to this representation:

Whole Stretch

Other reports within stretch to which this representation also relates:

All reports

Representation in full:

As representatives of the SRMP partnership, we welcome the concept of the England Coast Path as something of value to local people and residents, but we have some real concerns that we would like addressing.

We recognise and thank you for your timely and inclusive approach to engaging with us during the development of a route for the ECP. As you are aware those parts of the Solent being identified as a potential route for the ECP are covered also by our mitigation programme, identified in our Strategy which was formally adopted by PUSH in December 2017 and replaces the interim Strategy we had been operating under since 2014.

We acknowledge the ECP team have consulted with us and hope that the ECP team have benefitted from SRMP partners' local knowledge and ecological expertise. We understand that this input has formed part of the evidence to define a route which does not lead to additional

impacts on the Solent's SPA birds and their habitats. We appreciate that the proposed ECP route will need to satisfy the Habitats Regulations and that avoidance and mitigation may be required for the chosen route. This is in the same way that SRMP is a response to allowing development to proceed in satisfaction of those same regulations.

There are two specific areas of concern that have been expressed by partners that could potentially create conflict between the objectives of the two initiatives, outlined below.

Increased Visitor Numbers

Partners have expressed concerns that the ECP will lead to a rise in the number of visitors to sensitive parts of the coast. This will cause increased disturbance to the overwintering birds that journey to our SPAs, many of which are red and amber listed.

Whilst the SRMP is employing a range of measures to mitigate against disturbance from increasing housing numbers, it does not have the resources to deal with any further elevation in visitor numbers as a result of the ECP. Therefore there is a real concern of a conflict between these two initiatives. Any rise in visitor numbers as a result of ECP use has the potential to diminish the effectiveness of the SRMP measures. ECP will need to ensure that it provides its own mitigation package to protect against the impact of increased visitor numbers it will create.

Mapping of Spreading Zone

It is understood that in some areas of the ECP the spreading zone will be excepted for reasons of safety or nature conservation. Concern is raised about Ordnance Survey's plans for depicting the 'spreading zone' as a magenta wash and not making any exceptions for excepted areas.

As such, to an ECP user carrying an Ordnance Survey map it will appear that they are free/encouraged to walk on intertidal areas. In large parts of the SRMP area, these can be extremely large, support fragile habitats and be a huge food resource for birds and other species. Increased footfall through these areas would cause great damage to these fragile habitats and enormous disturbance to vulnerable wintering bird populations.

Whilst it is understood that exceptions to the spreading zone will be sign posted on the ground and listed on NE's website, enforcement of these would seem to fall to the landowner/occupier. If it is not possible to depict the spreading zone for the ECP accurately on Ordnance Survey maps, we would urge NE to reconsider its inclusion on the map entirely.

We are therefore seeking assurance from you about these two concerns in particular, rather than the more general issues you are already aware of and will be incorporating into the Access & Sensitive Features Appraisal.

Natural England's comments

Increased visitor numbers

We understand the disturbance pressure affecting the Solent SPAs as a result of increasing demand for places to recreate from a growing population. Improving provision for walking, and particularly high quality, well maintained and promoted routes is one of a number of positive ways of managing demand.

Natural England maintains that over the course of developing our proposals for England Coast Path on the Isle of Wight we have thought carefully about possible impacts on the European

sites and their associated designated features that could be affected. We have taken an iterative approach to developing and refining our access proposals, including thorough discussion with the SRMP and other organisations with relevant local knowledge, and are satisfied that sufficient measures are included to mitigate the risks. After careful consideration, we believe that the proposals we have made will not be likely to have a significant effect on a European sites that gives rise to the real risk of an adverse effect on its overall integrity. In reaching this conclusion, we have taken account of the relevant conservation objectives for the European sites involved and their ecological characteristics.

Our programme to establish the England Coast Path is complementary to the Partnership's strategy; it seeks to enable responsible access to the Solent coast and inform visitors about the ecological sensitivities. Through meetings and a series of workshops we have developed our proposals in close liaison with Bird Aware Solent and have fully considered the Bird Aware Solent evidence base and both the interim and definitive mitigation strategy. A key feature of the Bird Aware Solent strategy is the provision of coastal rangers to educate and inform coastal visitors about the wintering bird sensitivities and how to enjoy the site, whilst avoiding disturbing the feeding and roosting birds. Our proposals for the alignment and detailed design of the Coast Path complement the work of the rangers. The definitive strategy aims to widen the range of mitigation from the interim strategy through providing on-the-ground access management projects specific to each site, including measures such as interpretation panels. Although a definitive list of these projects has yet to be finalised, Bird Aware Solent and Natural England colleagues have liaised to identify the likely projects that would be effective to reduce recreational disturbance in the Solent based on evidence.

Representatives of the ECP team have provided updates on the proposals to Bird Aware Solent meetings. These sessions have generated useful feedback which we have used in developing our proposals.

Mapping of Spreading Zone

How coastal margin is to be mapped on the OS maps does not form part of our proposals.

The decision as to how to depict on OS 1:25,000 maps the England Coast Path and the 'coastal margin' created on approved stretches by the Access to the Countryside (Coastal Margin) (England) Order 2010 resulted from detailed discussions with the Coastal Access National Stakeholder Group. This group, representing a balance of interests including user, conservation and land manager representative organisations, considered it imperative that the route of the England Coast Path and the coastal margin should both be depicted. This decision reflected the importance afforded by the stakeholder group to acknowledge the statutory duty to establish both a 'long distance walking route' around the coast of England and to identify a margin of land within which the public will also have access, subject to what follows.

Coastal margin will generally have, as a large component, land which is subject to coastal access rights but in some areas contains much land which is not subject to these rights. This may be because either it is excepted land, as set out in Schedule 1 of CROW, or because it is subject to statutory restriction.

It follows that, in contrast to the position with CROW 'open access land', the depiction of coastal margin on OS maps is not a depiction of 'access land' per se, but a depiction of the status of the land, rather as national park boundaries are depicted on the maps. This distinction was central to the decision to depict coastal margin distinctively on OS maps.

It was felt that because the existing open access 'yellow wash' is well-known by users and often perceived to mean that all areas within it are accessible, a different coloured wash and

boundary to depict the coastal margin should be used in order to clearly reflect the different nature of this new designation. In deciding this, the stakeholder group concluded that to show the coastal margin boundary only would not achieve the desired effect. Also, where coastal access rights have superseded existing open access rights on the coast, showing the boundary only would mean removing the existing yellow access land wash in order to avoid confusion – but this might create the undesirable impression of a loss of public access rights. Because of OS operational needs, the colour chosen for depicting the coastal margin was magenta, (a 10% magenta wash) bounded on its landward edge by distinctive magenta semi-circles.

It was decided that the England Coast Path itself would be depicted by a green diamond (lozenge) symbol placed along the route and named England Coast Path with the National Trail acorn symbol placed alongside the name. Alternative routes will be shown by hollow version of the green diamond (lozenge) symbol.

The depiction of coastal margin on OS digital and paper products with a magenta wash comes with a clear, concise explanation in the key: “All land within the 'coastal margin' (where it already exists) is associated with the England Coast Path and is by default access land, but in some areas it contains land not subject to access rights - for example cropped land, buildings and their curtilage, gardens and land subject to local restrictions including many areas of saltmarsh and flat that are not suitable for public access. The coastal margin is often steep, unstable and not readily accessible. Please take careful note of conditions and local signage on the ground”.

The key also gives the link to the National Trails website <http://www.nationaltrail.co.uk/> which is the official source for information on the England Coast Path.

The new coastal access arrangements bring greater clarity on the ground about the rights of public access to coastal land.

It is in the interest of all parties that information regarding these new rights and about the new coastal margin designation is depicted accurately and consistently on OS maps, with appropriate explanation.

With regard to excepted land, the national stakeholder group acknowledged that it would not be feasible to remove the magenta wash from the myriad of excepted land parcels falling within the coastal margin. This was because even if it were practicable in a mapping sense, it would be impossible to identify all excepted land for consistent removal. As a result, taking this approach would be misleading as people would assume because some parts of the margin were magenta-shaded and some not, the shaded areas must have access rights. By having all the coastal margin depicted on OS maps with the magenta wash it is obvious that this is not the case.

A similar unintended consequence would result if single large areas of excepted land only were removed from the margin shown on OS maps. In addition, land use changes and as a result individual land parcels would move in or out of being excepted, often over a short period. For example, agricultural land in rotation may move from arable (excepted) to grass (not excepted) and vice versa.

This approach to depicting the England Coast Path and coastal margin on OS maps has been in use since 2014. Natural England is unaware of any issues that have resulted in practice from this approach. This is despite the inclusion of some very substantial areas of developed or other excepted land with the magenta wash – for example:

- On the Isle of Portland, because of the need for the approved route of the ECP to cut across the north east corner of the island, the mapped coastal margin includes Portland Port, the Verne prison, houses, other buildings and their curtilage.
- On the Tees estuary, the coastal margin comprises extensive areas of industry and business interspersed with brownfield sites and areas where access rights are excluded to protect wintering birds

In conclusion, we support the OS approach to identifying and explaining the status of the English Coastal Margin on their 1:25000 maps, and we are not aware of any practical problems that have arisen from it. We understand why initial concerns may arise about the approach in areas that are new to it – but the best place for site-specific messaging is on the ground, and these local messaging needs receive careful attention when we conduct our alignment and establishment phases on each stretch of coast.

Representation number:

MCA/IOW Stretch/R/8/IOW3902

Organisation/ person making representation:

[REDACTED] on behalf of the Isle of Wight Local Access Forum

Route section(s) specific to this representation:

Whole stretch – Reports 2 to 10

Other reports within stretch to which this representation also relates:

As above

Representation in full:

The Isle of Wight Local Access Forum

Dear Colleagues,

Due to the Covid 19 pandemic the I.W Local Access Forum were unable to hold its last Forum meeting to formulate an agreed response to the consultation process. In addition a number of key persons are currently in the shielding group (until end of June 2020) and as a consequence no site visits or consultations could take place in person.

As a National advisory body and constituted organisation the Chairman was therefore unable to agree or steer the Forum towards "a clear and agreed line" (para 5.2.4 LAF's in England).

However we have consistently been able to put our point across during the pre-consultation phase and have encouraged both individuals and organisations to comment at all stages.

sincerely, [REDACTED] - I.W LAF Chair.

Natural England's comments

Natural England thanks the Isle of Wight LAF for its constructive engagement with the Programme during the development of these proposals

Representation ID:

MCA/IOW Stretch/R/6/IOW0016

Organisation/ person making representation:

Open Spaces Society

Name of site:

IOW 2 - 10

Report map reference:

all

Route sections on or adjacent to the land:

all

Other reports within stretch to which this representation also relates

all

Summary of representation:

The Open Spaces Society has considered the representations being submitted by The Ramblers' Association. They wish fully to support all those representations as follows:

Isle of Wight Report 2 –Overall

Key Issue paper 2a Quarr Abbey

Key Issue 2b Ryde House

Key Issue 2c Bembridge Lagoons

Key Issue 2d Bembridge Coast

Isle of Wight Report 3 Overall, with mention of Haddons Pit

Isle of Wight Report 4 Overall

Isle of Wight Report 5 Overall

Item 5.2 Freshwater Bay

Item 5.5 Needles Viewpoint

Item 5.7 Needles Park

Isle of Wight Report 6 Overall

Key Issue Paper 6A - Colwell to Linstone Chine

Key Issue Paper 6F – Hamstead Gully Copse

Isle of Wight Report 7 Overall

Key Issue Paper 7C - Corfe Fields

Key Issue Paper 7F – Newtown Ranges

Isle of Wight Report 8 Overall

Isle of Wight Report 9 Overall

Report 10 Overall

Item 10.3 Linking Northwood to the river

Item 10.6 Riverside Field

Item 10.13 Folly Works

Item 10.14 Whippingham riverside

Item 10.16 North of power station

Item 10.17 Britannia way riverside development

Natural England's comment:

The Open Spaces Society and the Ramblers' representation contains points relating to the whole stretch. In this document we have responded to the parts of it that are relevant to the IOW 4.

For our comments please see our response above to the Ramblers' representation: MCA/IOW4/R/1/IOW3854 below.

Relevant appended documents (see Section 5):

Annex 1: The Ramblers Support Document, IOW 4

Annex 5: Extract from the report document: paragraph 4.2.19

Representation number:

MCA/IOW4/R/1/IOW3854

Organisation/ person making representation:

The Ramblers, [REDACTED]

Route section(s) specific to this representation:

IOW 4

Other reports within stretch to which this representation also relates:

N/A

Representation in full

Representations numbered 4.1 to 4.10 express support for the proposed basic route and highlight how and where national trail standards can be achieved.

Ramblers Report 4 Overall including maps and photos is attached to the bottom of this representation form (annex 1). For ease of the reference the theme of each point is included in Natural England's comments, alongside an extract from the Ramblers' document (blue text).

Natural England's comments

We welcome the positive engagement from [REDACTED] during the development of our proposals, and the supportive comments made by the Ramblers in their representation document at 4.3 to 4.5, 4.8 and 4.10.

4.1 IOW-4-S001 to S017

This route is acceptable. However, it initially follows V124 though an area of landslip which will be expensive to reinstate and maintain to national trail standards. A feasible route circa 100m to the east along a field edge and then following existing well used paths would be more sustainable

Natural England agree with the Ramblers representation. We received correspondence from the Isle of Wight Council on the 04/03/2021 informing us of a landslip at IOW-4-S004, Binnel Bay (annex 2).

Natural England has discussed several route options in collaboration with the council, our lead ecologist on the Isle of Wight, and the relevant landowners to come to an agreed new route at this location, avoiding the area lost to erosion (annex 3). The route passes over a small stream so it will require a raised footbridge to cross over it. Despite this, the level of infrastructure needed for this new route is much reduced from the originally proposed route. This new route has sea views as you walk through a quaint woodland and will provide a route which is less susceptible to erosion on this dynamic coastline. We ask the Secretary of State to approve the amended route as set out on the map included in annex 4. Accompanying this map, we have also included a revised entry for table 4.3.1.

4.2 IOW-4-S018 to IOW-4-S023- land use

This route is satisfactory while Undercliff Drive remains a quiet cul-de-sac. However, if the busy narrow A3055 is reinstated then a suitable trail through fields and woodland to the south coastal side of Undercliff Drive needs to be considered.

As mentioned in para 4.2.19 of the report (annex 5), the Highways Authority has assessed this route as being safe for pedestrians whilst the 30mph speed restrictions remain in place. Natural England has also agreed for pedestrians in road warning signs to be installed. Should Undercliff Drive be reinstated as a through-route or the speed limit not made permanent, then the trail alignment may need to be reassessed. At such time all options will be considered, including a coastal route.

4.6 IOW-4-S059 to IOW-4-S063- the route crosses the A3055 twice and runs along the verge of this busy road

The English Coast Path is often set back from busy roads by establishing field edge paths. Viable options to achieve this are available at this location. (Picture of field included)

When aligning the route of the England Coast Path we must consider the viability of the seaward options and ensure that we achieve a balance between the private and public interests. In this case through consultation with the Isle of Wight Council and Highways Authority, we have concluded a safe, practical improvement to the current Isle of Wight Coastal Path route at a complicated junction. We will be providing a wide, even surface for walkers, the plans for which have been assessed as safe by a Highways Safety Report. We do not believe that there is a need to disrupt the land management practices (in this case a farmed field, landward of a hedge) north of the current proposed route. The Ramblers proposal does not provide improved coastal views due to the high hedgerow along most of the field's edge.

4.7 IOW-4-S064 to IOW-S067 – use of coastal margin

This route is acceptable so long as suitable provision is made to access the spreading room / coastal margin over fields to the coastline.

As outlined in the Coastal Access Approved Scheme (section 4.8.2), there is no duty on Natural England to make it possible for the public to reach all parts of the coastal margin on foot. Some coastal areas, such as cliff faces and rocky shores, are inherently difficult to reach and this is part of their appeal for some people. However, the route is wherever practicable chosen to make it easy for the public to reach popular areas of spreading room like beaches, either by passing a safe and convenient point of entry, or by linking to a secondary route which leads to them. In this instance there are no existing secondary routes as the fields in this instance lead to very steep cliffs with little or no easy access to the foreshore.

The Scheme also notes that we are unlikely to recommend new secondary routes through spreading room in our coastal access reports, unless we conclude that it is necessary to encourage people to take a particular route for safety, land management or conservation reasons. The detailed assessment criteria in chapters 7 and 8 indicate circumstances where this might be necessary. In this instance this was not required.

4.9 IOW-4-S075 – safer alternative preferred

This is a busy/fast section of the Military Road 'Racetrack'. Expensive engineering work along the edge of the chine will be required to create a 1.5 to 2 m pavement with suitable safety barriers.

A safer more cost-effective solution should be considered. This could involve crossing Whale Chine with steps either side of a short footbridge at the bottom of the Chine. (Picture of side of the road included)

The Highway Authority risk assessment of this route concluded that there is a verge that is approximately 1m wide and would provide pedestrians with a safe and suitable off road route if firm and level.

It was recommended that a paved walkway be provided to ensure that the route was firm and level and free of trip hazards in all weather conditions. Adjacent to the verge is a substantial drop that is currently not protected so a suitable barrier is to be installed to protect pedestrians from falling.

All of the above will be carried out as part of the establishment works if approved. The total cost for this is included within the report (£18,750). This is significantly more cost efficient than the route suggested by the Ramblers, down and up the chine via new steps and a footbridge. The chine is an incredibly dynamic environment, and any infrastructure would be at risk of collapse if installed here. Whale Chine is also part of the Compton Chine to Steephill Cove SSSI and the South Wight Maritime SAC. Our early environmental assessments of the site concluded that large scale infrastructure in the Chine would have a detrimental impact on the site features (vegetated maritime cliffs and slopes, geology and coastal geomorphology) and could not be permitted.

Relevant appended documents (see section 5):

Annex 1: Ramblers Supporting Document, IOW 4

Annex 2: Correspondence with the Isle of Wight Council regarding the landslip at Binnel Bay

Annex 3: Email correspondence between Natural England and the landowners (Sam Twining and Janet and Trevor Rule) agreeing to route

Annex 4: Map of new route at Binnel Bay and revised attribute table 4.3.1

Annex 5: Extract from the report document: paragraph 4.2.19

Representation number:

MCA/IOW4/R/2/IOW0145

Organisation/ person making representation:

The Isle of Wight Council, [REDACTED]

Route section(s) specific to this representation:

IOW 4

Other reports within stretch to which this representation also relates:

N/A

Representation in full

Context/Introduction: The purpose of the following representations is for the Isle of Wight Council ("Council") to seek clarity from Natural England on certain aspects of the Report, to highlight any existing problems with the proposed route, propose areas of inland margin on its own land and to confirm Council support for particular sections:

4.1 Map IOW 4A: Binnel Bay to The Orchard: IOW-S013 to S018 (Charles Wood):

The Council fully supports this proposed section of the route. At the present time there is no formal public access between Binnel Bay and Undercliff Drive due to the closure of a public right of way (V124) following a dramatic landslip in 2014. There is little likelihood of V124 ever reopening due to the extent of the damage. Accordingly, the route proposed by Natural England following existing informal tracks and keeping distance from the landslip area is very much welcomed.

4.2 Map IOW 4A: Binnel Bay to The Orchard: IOW-S013 to S018 (Charles Wood):

Part of this route dissects an area of Council owned land known as Charles Wood resulting in the extent of the wood on the seaward side of the route automatically becoming coastal margin. The Council proposes that the remaining part of Charles Wood on the landward side of the route become inland coastal margin. See attached map 4.1.

4.3 Map IOW 4A: Binnel Bay to The Orchard: IOW-4-S019 (Undercliff Drive):

The section was assessed in the Highway Risk Assessment February 2020 as there being a moderate risk to pedestrians and works required to ensure the route is safe. The recommended works involve a speed limit reduction (already implemented) and the provision of verge improvements so that pedestrians can step off the carriageway out of the path of approaching vehicles. The Report also highlighted that there is a possibility of Undercliff Drive being reopened as a through route for motor vehicles and that if this occurs the route will need to be reassessed and an off-carriageway route for pedestrians found.

To date the Council is unaware that Natural England has taken any steps to further assess the situation in terms of where such step off areas be located, the cost of establishment/future maintenance and whether such areas are within highway verge (and for which the consent of the Highway Authority will be required) or whether private land will need to be utilised. The Council requires clarification that: such works will be undertaken, will be funded and landowner consent obtained to create step off areas/verges; or Natural England has assessed that such measures are unnecessary and/or have sought further advice from Road Safety Engineers. Additionally, the Council considers that the Report should have highlighted the need to revisit a proposed route (as explained above) if and when Undercliff Drive becomes a through route for traffic and requires confirmation that reassessment by Natural England will take place should this occur.

4.4 Map IOW 4A: Binnel Bay to The Orchard: IOW-4-S020 and S021 (Cripple Path):

The Council fully supports the inclusion of this iconic path as part of the England Coast Path trail. The proposed infrastructure works will enable this path to become National Trail standard compliant and will be a welcomed and interesting addition as well as providing a link to the cliff top path boasting incredible sea views.

4.5 Map IOW 4B: The Orchard to St Catherine's Point: IOW-4-S029 to S034 (Castlehaven Lane):

The section was assessed in the Highway Risk Assessment February 2020 as there being a moderate risk to pedestrians and works required to ensure the route is safe. The recommended works provide for verge improvements so that pedestrians can step off the lane out of the path of approaching vehicles. To date the Council is unaware that Natural England has taken any steps to further assess the situation in terms of where such step off areas be located, the cost of establishment/future maintenance and whether such areas are within highway verge (and for which the consent of the Highway Authority will be required) or whether private land will need to be utilised. The Council requires clarification that: such works will be undertaken, will be funded and landowner consent obtained to create step off areas/verges; or Natural England has assessed that such measures are unnecessary and/or have sought further advice from Road Safety Engineers.

4.6 Map IOW 4C: St Catherine's Point to Gore Cliff: IOW-4-S039 to S051 (Knowles Farm and St Catherine's):

The Council fully supports the introduction of the stretch. It fully complies with the primary aim of a route following the periphery of the coast with sea views. It utilises existing public rights of way and paths within open access land together with a winding path up/down the cliff which, with planned investment in infrastructure, will be an interesting link to the cliff top path.

4.7 Map IOW 4H: Shepherd's Chine to Brighstone Bay: IOW-4-S088 (Atherfield):

The Council fully supports the inclusion of this stretch which will be new access for the public and a vast improvement on the existing promoted coastal path route which follows a difficult and eroding path in the side of Shepherd's Chine. The proposed section boasts views into the chine and of the coastline and of the sea generally.

4.8 Map IOW4J: Marsh Chine to Isle of Wight Pearl: IOW-4-S112 (Brighstone Holiday Centre): The Council fully supports the inclusion of this stretch which, with the kind cooperation of the landowner, allows the route to follow the coastline with exceptional sea views. Without landowner cooperation a route alongside a busy main road would have been necessary.

Natural England's comments

We welcome the positive engagement from the Council during the development of our proposals and the supportive comments. We are continuing to engage and work closely with the council and as a result several of the points raised in this representation have been resolved or clarified. In those instances, we refer the reader to the relevant correspondence in the supporting documents section.

4.1 Map IOW 4A: Binnel Bay to The Orchard: IOW-S013 to S018 (Charles Wood):

Natural England welcomes the Council's supportive comments.

4.2 Map IOW 4A: Binnel Bay to The Orchard: IOW-S013 to S018 (Charles Wood):

Natural England is happy to agree the Council's request that the land in their ownership that forms the remaining part of Charles Wood on the landward side of the route become inland coastal margin. We ask the Secretary of State to approve this inclusion as set out on the map included in annex 6. Accompanying this map, we have also included a revised entry for table 4.3.1.

4.3 Map IOW 4A: Binnel Bay to The Orchard: IOW-4-S019 (Undercliff Drive):

This part of the representation has now been withdrawn after further assessment and agreement of recommendations with the council and the highways authority. Please see the appended email in section 5 (annex 7 and 8) from the IOW Council confirming this.

4.4 Map IOW 4A: Binnel Bay to The Orchard: IOW-4-S020 and S021 (Cripple Path):

Natural England welcomes the Council's supportive comments.

4.5 Map IOW 4B: The Orchard to St Catherine's Point: IOW-4-S029 to S034 (Castlehaven Lane):

This part of the representation has now been withdrawn after further assessment. Please see the appended email in Section 5 (annex 9) from the IOW Council confirming this.

4.6, 4.7 and 4.8

Natural England welcomes the Council's supportive comments.

Relevant appended documents (see section 5):

Annex 6: Map of inclusion of Charles Wood as landward coastal margin and revised attribute table 4.3.1

Annex 7: Highways risk assessment report recommendations for Undercliff Drive

Annex 8: Email from Isle of Wight Council regarding confirmation of representation withdrawal for 4.3

Annex 9: Email from Isle of Wight Council regarding confirmation of representation withdrawal for 4.5

Other representations

Representation ID:

MCA/IOW Stretch/R/5/IOW4210

Organisation/ person making representation:

The Disabled Ramblers

Name of site:

IOW 2 - 10

Report map reference:

all

Route sections on or adjacent to the land:

all

Other reports within stretch to which this representation also relates:

all

Summary of representation:

Modern mobility vehicles can be very large, and many man-made barriers that will allow a manual wheelchair through are not large enough for all-terrain mobility vehicles, or for 'pavement' scooters and prevent legitimate access even though users of mobility vehicles have the same rights of access that walkers do. Man-made structures along the England Coast Path on the Isle of Wight should not be a barrier to access for users of mobility vehicles.

Disabled Ramblers notes that Natural England proposes to help fulfil the Isle of Wight ROWIP ambitions with regard to replacing all stiles with gates. This is a positive step.

Natural England states, in the Overview document to this stretch that they have considered interrelationships between their proposals and the Isle of Wight Rights of Way Improvement Plan (IOW ROWIP). The Isle of Wight ROWIP was published in 2006, then reassessed and reviewed in 2016 and the findings published in 2018. Policy C: Creating New Access of this review states an objective is to make improvements to the network which benefit as wide a range of users as possible, and which address issues of accessibility for people with mobility difficulties.

Disabled Ramblers requests that Natural England goes further than just replacing stiles with gates and considers all types of structure along the England Coast Path on the Isle of Wight. All

new structures should allow convenient access to mobility vehicle riders as standard and should comply with British Standard BS5709: 2018 Gaps Gates and Stiles which places the emphasis on Least Restrictive Access. (NB this new standard postdates the ROWIP review, so would not have been available at the time to inform the review.)

Disabled Ramblers also request that, as part of the preparation of the England Coast Path, all existing structures are removed and replaced if they prevent access to users of mobility vehicles.

Suitability of all structures should always be considered on the assumption that a person with reduced mobility will be going out without more-mobile helpers, so will need to operate the structure on their own, seated on their mobility vehicle.

Disabled Ramblers requests:

- that installation of new structures should be suitable for those who use large mobility vehicles, and that comply with British Standard BS5709: 2018 Gaps Gates and Stiles.
- that existing man-made structures that are a barrier to those who use mobility vehicles, should be reviewed, and where necessary removed and replaced with suitable structures to allow access to these people
- compliance with the Equality Act 2010 (and the Public Sector Equality Duty within this act)
- compliance with the Countryside Rights of Way Act 2000
- adherence to the advice from Disabled Ramblers as set in the attached document Man-made Barriers and Least Restrictive Access.

Natural England's comment:

Natural England acknowledges its duties under the Equality Act 2010 and the Countryside and Rights of Way Act 2000, and the extra responsibilities conferred by the Public Sector Equality Duty, under the former. An important element of equality law is that the needs of those with constrained or restricted mobility are taken into account throughout the planning, design and implementation processes, and that they are not simply treated as an 'add on'. We have endeavoured to achieve this as we have developed our proposals for the Isle of Wight, and, if our proposals are approved, will continue to do so through the implementation phase, working alongside Isle of Wight County Council, which shares the same responsibilities and duties.

We also recognise the importance of satisfying the relevant British Standards, and the desirability of complying with the advice contained in the Disabled Ramblers Notes on Manmade Barriers and will also be focusing on these documents as we work with the access authorities. We have limited the use of kissing gates or stiles and where possible removed barriers to access e.g. at Blackgang Road (IOW-4-S060) the existing kerb will be replaced with a dropped kerb to make the road easier to cross.

We also note the Disabled Ramblers' pertinent advice regarding the larger/ all-terrain mobility vehicles and believe that many parts of the Isle of Wight, including much of the alignment covered by Report IOW 4, lend themselves to use by such vehicles.

Section 4.3 of the Scheme – 'Adjustments for disabled people and others with reduced mobility' guides our approach to aligning the trail to ensure that it is as inclusive as possible.

"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 (see section below). 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.

4.3.11 In all this, we will have regard to any concerns about making it easier in practice for people to enter land unlawfully with vehicles; the importance of conserving cultural heritage features and landscape character in the design of the trail and infrastructure; land management needs, for example the need for crossing points to be designed to prevent livestock from escaping; the costs involved; and the need for crossing points between fields to facilitate access for horse riding or cycling where there are existing rights or permissions for these activities.”

The English coastline is often a rugged and challenging environment. Unfortunately, our proposals for IOW4 include locations where the new or retained infrastructure may restrict access to those with reduced mobility. For example

- At The Undercliff and Cripple’s Path, new steps will be put in place, so as to make it easier to ascend/descend a steep slope. It is not possible to replace these steps with ramps.
- At West Cliff, Shepherd’s Chine and Grange Chine the existing steps will be improved, to make them easier to use. We envisage this happening as part of the physical establishment work described below. It is not possible to replace these steps with ramps.

Relevant appended documents (see Section 5):

Annex 19: Disabled Ramblers Document: Man-made Barriers and Least Restrictive Access

Representation ID:

MCA/IOW Stretch/R/3/IOW4199

Organisation/ person making representation:

Jonathan Bacon on behalf of Isle of Wight Area of Outstanding Natural Beauty Steering Committee

Name of site:

Stretch wide

Report map reference:

All

Route sections on or adjacent to the land:

All

Other reports within stretch to which this representation also relates:

All

Summary of representation:

The Isle of Wight portion of the England Coast Path (National Trail) has the potential to provide both positive and negative impacts on the designated area and the communities that live and work within the designation. The IW AONB Steering Committee therefore believe there is sufficient reason to comment on the proposed route of the path as it impacts the purposes of the designation to conserve and enhance natural beauty

The Isle of Wight AONB Partnership welcomes the establishment of the England Coast Path on the coast of the Isle of Wight and recognise and applaud the work of the Isle of Wight Council's Rights of Way team in their long-term promotion and maintenance of the existing Isle of Wight coastal path. The extra resources being made available to the local authority to maintain the path are particularly welcomed in the light of the reduction in funding to local authorities in recent years.

They acknowledge the difficult task that Natural England faced given the coastal erosion issues, the environmental constraints and the often-conflicting issues of land-use and public access. They also recognise that, in the light of these constraints, the vast majority of the England Coast Path National Trail makes use of existing rights of way.

Expressions of disappointment and satisfaction were discussed regarding the details of the route. It was felt that opportunities had been missed for better access to the coast notably at Norton Spit and the woodland around Quarr. It was felt that photography would have both improved the interpretation and illustrated the issues that were highlighted in the report. Recommend a fixed-point photography scheme is established as an aid for subsequent monitoring of the effects of the proposed mitigation on the coastal environment and landscape.

With regard to the Isle of Wight AONB designation there are two specific comments for Natural England to consider:

Firstly, the apparent conflict between the provisions of the Conservation of Habitats and Species Regulations (CHSR)2017 with regard to the establishment of Solent Recreation and Mitigation Project (SRMP) and the provisions of the Marine and Coastal Access Act (MCA) 2009 and the promotion of the new England Coast Path. In the light of the Sandford principle, they would be grateful if Natural England would clarify the hierarchy of legislation that seeks to allow increased recreational pressure to Natura 2000 sites under MCA2009 whilst seeking to reduce it under CHSR2017. Natural England, in their response to the evidence used to establish the SRMP agreed that signage was inadequate to mitigate the adverse impacts to the internationally designated sites by the potential disturbance to foraging and roosting overwintering birds by people and dogs. Natural England agreed with the conclusion that the SRMP wardens would be far more effective in this regard. The representation asks therefore if Natural England's opinion has changed regarding the effectiveness of this form of mitigation

and would be grateful for clarity on this issue. In any case, they recommend that, due the national importance of the AONB designation, Natural England commission an evaluation programme to determine the success of the mitigation measures outlined in the reports.

Secondly, the IWAONB, in pursuance of its objectives seek a reduction in the amount of signage and other clutter that detracts from the scenic beauty which the Coastal Path is enabling people to enjoy. In the light of the reports on the efficacy of signage noted above, we would ask that the level of required signage and associated infrastructure is reviewed.

In conclusion the provisions of the Marine and Coastal Act 2009 seem to have been satisfactorily addressed by the proposed route, given the constraints and having to consider the needs and aspirations of all parties concerned and are grateful to Natural England for the opportunity to consider and remark on the report

Natural England's comment:

Natural England thanks the Isle of Wight AONB Steering Committee for its constructive engagement with the Programme during the development of these proposals. We note their conclusion that the provisions of the Marine and Coastal Act 2009 seem to have been satisfactorily addressed by the proposed route, given the constraints and having to consider the needs and aspirations of all parties concerned. We also note the Committees feeling that opportunities were missed for better access at certain locations, such as at Quarr (IOW2) and Norton Spit (IOW6). During consultation we explained in detail the rationale for our proposals and the final report details what options were also considered.

Conflicting legal duties

The Committee suggests there is a conflict between the work of Bird Aware Solent (established as a strategic approach to mitigate possible impacts of increased demand for outdoor recreation on European sites as a consequence of planned development of over 60,000 new homes across the Solent area) and the coastal access duty (Part 9 of the Marine and Coastal Access Act 2009).

Natural England disagrees with the implication that implementing coastal access and initiatives like Bird Aware Solent are necessarily at odds with one another. The coastal access legislation recognises there are multiple interests at the coast and provides safeguards for avoiding conflicts where necessary. The 2009 Act doesn't alter the requirements of the Habitats Regulations, nor in any way prevent Natural England from fulfilling obligations to protect, conserve and restore European sites. Access management interventions delivered through the coastal access programme, will often be beneficial for conservation and help to manage existing pressures in the Solent area. The Coastal Access Scheme explains how Natural England will implement coastal access and the formal and informal access management measures available to Natural England to avoid or reduce possible impacts as necessary, for example by aligning new sections of trail away from sensitive areas, or by using the opportunity of delivering coastal access to help manage existing pressures.

The Committee cite the Sandford Principle in their representation. The Sandford Principle can be summarised as where a National Park Authority (or AONB Conservation Board) is not able to reconcile its two statutory purposes concerning public enjoyment and conservation by skilful management, conservation should come first. This principle is given effect in s11A(2) of the Environment Act 1995, and we don't believe this specific provision is directly relevant to implementation of coastal access on the Isle of Wight. So far as the general principle is concerned, as explained above, we suggest that the 2009 Act includes adequate provisions to enable reconciliation of any conflicts with nature conservation that might arise from the coastal access duty.

We further note that ways in which building houses might lead to impacts on populations of wintering birds in the Solent area are somewhat different from those that might arise from implementing coastal access. The mechanism by which development might impact is by increasing demand for local greenspace at coastal sites in the vicinity of where development is planned. Natural England believes it is necessary for developers to contribute to improving access management at sensitive locations within easy travelling distance of new developments, and that the Bird Aware Solent initiative is an appropriate means of achieving this.

Coastal access on the other hand, is directly concerned with how access is provided. The provision of good quality, well maintained paths, designed and installed with nature conservation goals in mind, will often be a positive contribution to site management. In practice, in the Solent area, the proposed route for the Coast Path mainly follows existing paths. Where new connecting sections of route are proposed, significant impacts are usually avoided by routing away from more sensitive areas.

Efficacy of access management techniques

The Committee goes on to ask Natural England to clarify our views on different access management techniques, and particularly installing notices compared with employing wardens. Natural England believes that both signs and wardens can be effective access management measures. We note that the effectiveness of techniques can be enhanced by having suitable strategies for their deployment. It has been shown, for example, that the effectiveness of leaflets used to promote responsible recreation in the Thames Basin and Solent areas can be enhanced by their design. We don't think it is a case of one or the other – quite the opposite, we believe that both signs and wardens can play a role in delivering effective access management, and further that they should ideally be used in combination with other techniques including manipulation of the physical environment to make certain routes more or less attractive. Recent findings about the impact of wardens in the Solent area support this view, that strategies using a mix of techniques, including signs, are likely to be more effective in achieving the best outcome overall.

Bird Aware Solent is funded through financial contributions from developers and we fully support the focus on using the resources generated to provide wardens. With coastal access on the other hand, interventions are mainly associated with improvements to paths and their associated infrastructure, including directional signage, awareness raising notices, physical barriers and screening. Through our consultation during the design stage of implementing coastal access, we make sure our proposals fit with Bird Aware Solent's site-specific projects. Also, we assess our impacts in combination with the development pressure. We believe that interventions delivered by coastal access and Bird Aware Solent may be beneficially combined with access management done by local authorities, Environment Agency, wildlife organisations and others. We hope this provides some clarification about Natural England's views on access management.

Evaluation

The Committee further recommends that Natural England evaluates the impacts of access management interventions delivered through coastal access. We agree with this and hope that our programme evaluation will contribute to the wider evidence base concerning effective visitor management strategies. Note also that the quality standards for National Trails include ongoing monitoring of path condition and Natural England will be regularly reviewing any formal restrictions and exclusions on coastal access rights in the margin.

The Committee recommends using fixed point photography for monitoring future changes. We will bear this in mind as a possible method to use as part of evaluation. We note also that this might be something a future trail partnership would consider supporting.

Signage:

The management of the trail and its associated infrastructure and signs will conform to the published standards for other National Trails. These standards consider the overall convenience of the trail within a design framework that uses natural surfaces such as grass wherever possible and otherwise favours the use of natural or carefully chosen artificial materials and local designs that blend well with their setting. We pay particular attention to the location, design and installation of access infrastructure on sites of conservation value (where clearance, digging and drainage works would have the potential to damage features of interest) and in other areas where specific consents are required from other authorities. As such NE has worked closely with the Council and other bodies to ensure signage is kept to a minimum but not to the detriment of users following the trail.

Representation ID:

MCA/IOW Stretch/R/2/IOW0259

Organisation/ person making representation:

Southern Gas

Name of site:

Stretch wide

Report map reference:

All

Route sections on or adjacent to the land:

Specified within the supporting documentation

Other reports within stretch to which this representation also relates:

All

Summary of representation:

NE should be aware that ground works that take place in the vicinity of gas infrastructure could result in personal injury or damage to the gas infrastructure. As such NE will be expected to consult with Southern Gas in relation to said points of interaction and any ground works that might be required.

Southern Gas has provided a bundle of plans that show the locations of the relevant infrastructure on the IOW which is situated either on the route of in close proximity (50m).

Natural England's comment:

Natural England and the Isle of Wight Council (who will undertake the establishment works) will consult with Southern Gas as necessary during the establishment phase.

Relevant appended documents (see Section 5):

There are a significant number of documents that were provided to help NE locate gas infrastructure. These have not been attached but can be provided if necessary.

Representation ID:

MCA/IOW Stretch/R/4/IOW3891

Organisation/ person making representation:

[REDACTED] (chairman) on behalf of Isle of Wight Gardens Trust

Name of site:

Old Park, St Lawrence

Report map reference:

Report IOW 4 Map 4a

Route sections on or adjacent to the land:

N/A

Other reports within stretch to which this representation also relates:

Report IOW 2 Map 2b (Quarr Abbey)

Report IOW 2 Map 2g (The Priory, St Helens)

Report IOW 3 Map 3i (Ventnor Botanic Gardens)

Summary of representation:

The Isle of Wight Gardens Trust has reviewed the reports and maps relating to the proposed route of the England Coast Path on the Isle of Wight. For the stretches of the route currently under consultation, we have identified that the following parks and gardens are affected:

Old Park, St Lawrence – This site is on the Local List due to its designed landscape importance. The proposal seeks to create a new link from existing public rights of way to connect these to Undercliff Drive overcoming the loss of access on part of Public Footpath V124 which used to perform the same function. It formalises the current informal use of a path through part of the Old Park site in woodland to the north of the main building. In our opinion there is no adverse impact on the Local List site as a result of the proposals and we raise no objection.

Natural England's comment:

Natural England thanks the Isle of Wight Gardens Trust for its supportive comments.

Relevant appended documents (see Section 5):

N/A

Length Report IOW5

Full representations

Representation number:

MCA/IOW5/R/1/IOW3889

Organisation/ person making representation:

The Ramblers, [REDACTED]

Route section(s) specific to this representation:

Whole report

Other reports within stretch to which this representation also relates:

N/A

Representation in full:

We wish to support the proposals itemised below. We are pleased to see infrastructure improvements especially at item 5.1 in our representation table where there will be new steps.

Natural England's comments:

We welcome the positive engagement from The Ramblers during the development of our proposals and the supportive comments.

Relevant appended documents (see section 5):

Annex 10: Ramblers Supporting Document, IOW 5

(Pages 1-5, see items 5.0, 5.1, 5.3, 5.4, 5.6, 5.9, 5.10, 5.11, 5.12 in our representation table)

Representation number:

MCA/IOW5/R/2/IOW3889

Organisation/ person making representation:

The Ramblers, [REDACTED]

Route section(s) specific to this representation:

IOW-5-S015 to IOW-5-S016

Other reports within stretch to which this representation also relates:

N/A

Representation in full:

Item 5.2 in our representation table describes a route closer to the coast, on access land, where there are views of the Mermaid and Stag rocks.

Natural England's comments:

The proposed route in this area has been aligned along an existing well-used public right of way that also forms part of the existing Isle of Wight Coast Path. It provides a clear and convenient route that is pleasant for walkers, in line with para 4.3.2 of the Coastal Access Scheme.

The cliff face in this location is eroding and therefore we have chosen to align the route further inland. Our proposed route is a safe distance from the cliff edge, in accordance with para 7.1.3 of the Coastal Access Scheme.

England Coast Path users will be able to access the area of land between the path and the coastline via coastal margin (as they can currently under the existing open access provisions), in order to experience closer views of the Mermaid and Stag rocks if they wish.

Relevant appended documents (see section 5):

Annex 10: Ramblers Supporting Document, IOW 5 - page 2, see item 5.2

Representation number:

MCA/IOW5/R/3/IOW3889

Organisation/ person making representation:

The Ramblers, [REDACTED]

Route section(s) specific to this representation:

IOW-5-S036 to IOW-5-S044

Other reports within stretch to which this representation also relates:

N/A

Representation in full:

There should be a route closer to the Needles viewpoint and Rocket testing site. This iconic site should be included along the route.

Natural England's comments:

Natural England investigated aligning the route along the track to the High Down Weapon Test Site. The proposed route was chosen for the following reasons as detailed in Table 5.3.2 'Other options considered' of the report (Annex 11):

Convenience

The proposed route in this area has been aligned along an existing well-used public right of way. It provides a clear, well maintained route with good sea views that is pleasant for walkers to use, in line with para 4.3.2 of the Coastal Access Scheme.

Infrastructure

The proposed route is aligned along a recently upgraded footpath with new infrastructure, including steps, which will provide a more enjoyable walking experience.

Seaward Coastal margin

England Coast Path users will be able to access the area of land between the path and the cliffs via coastal margin, in order to experience views of the Needles viewpoint and High Down Weapon Test Site if they wish.

Relevant appended documents (see section 5):

Annex 10: Ramblers Supporting Document, IOW 5 - page 2, item 5.5

Annex 11: Extract from Report Table 5.3.2 'Other options considered'

Representation number:

MCA/IOW5/R/4/IOW3889

Organisation/ person making representation:

The Ramblers, [REDACTED]

Route section(s) specific to this representation:

IOW-5-S051 to IOW-5-S055

Other reports within stretch to which this representation also relates:

N/A

Representation in full:

Item 5.7 in our representation table describes a route from the entrance to the NT road which follows the seaward side of the Needles Park car park and so avoiding having to walk by a busy visitor attraction road.

Item 5.8 describes how the route can continue by the Marconi monument and a viewpoint which avoids a noisy and busy fun fair, to reach wooden steps leaving this area.

Natural England's comments:

Item 5.7

Our proposed route follows the very popular, existing Isle of Wight Coast Path and was agreed in consultation with the landowner. Our proposed route is used throughout the year by many thousands of visitors (both walkers and customers of the attraction). The access road to the car park is low speed and drivers will be aware that pedestrians share this space. The route proposed by the Ramblers would make use of a busy car parking area and so should not be considered traffic free or "off-road" in that sense.

In considering the route options here we consulted with the Health and Safety Co-ordinator at the Needles Landmark Attraction. He agrees that the proposed route is the safest and most suitable. Routes like the one proposed by the Ramblers would run up the side their car park which is incredibly busy in peak times and there is no clear walkway. In peak times the car park is accessed by over a thousand vehicles a day. NE's proposed route is the Attraction's preference as it utilises existing paths and pavements, then crosses the road at a marked crossing point and continues along the edge of their coach park. This route gives a tarmacked surface all the way and although it does run along the coach park edge, this area is marshalled in peak season. We have been advised the attraction tends to have between 8-15 coaches visit a day, which makes for a much quieter route in terms of traffic movement. Please see email (annex 13) from [REDACTED], Health and Safety Co-ordinator in Section 5.

As such we disagree that our proposed route is unsafe. From the Attraction's health and safety team's perspective the prospect of mixing heavy traffic and pedestrians would be highly concerning.

In this instance we feel a fair balance has been struck, making use of an existing walked route that the landowner is happy with from a health and safety perspective. The route is still close to the sea with excellent views either side of this short diversion from the coast.

Item 5.8

As we are not proposing to modify our route as suggested by the Ramblers at Item 5.7, this further modification is also discounted for the reasons laid out above.

Relevant appended documents (see section 5):

Annex 1: Ramblers Supporting Document, IOW 5 - page 2, items 5.7 and 5.8

Annex 12: Extract from Report Table 5.3.2 'Other options considered'

Annex 13: Email from Needles Landmark Attractions with IWC map

Representation number:

MCA/IOW5/R/5/IOW0145

Organisation/ person making representation:

Isle of Wight Council, [REDACTED]

Route section(s) specific to this representation:

IOW-5-S036 to S047 and IOW-5-S062

Other reports within stretch to which this representation also relates:

N/A

Representation in full:

Context/Introduction:

The purpose of the following representations is for the Isle of Wight Council (Council) to highlight an existing problem with the proposed route and to confirm Council support for a particular section:

5.1 Map IOW 5H: Lord Holmes' Caves to Headon Warren: IOW-5-S036 to S047 (The Needles):

The Council fully supports this proposed section of the route which will be new access in so far as a walked trail is concerned. It fully complies with the primary aim of the scheme to follow the periphery of the coast and to provide sea views, the latter being particularly important in this location as fantastic views of the Needles Lighthouse, Batteries and the former rocket testing site will be available.

5.2 Map IOW 5L: Headon Warren to Widdick Chine: IOW-5-S062 (Headon Warren (east)):

The route here has unfortunately been lost to coastal erosion and a revised route will need to be proposed by Natural England utilising the field north east of Warren Cottage.

Natural England's comments:

5.1 Map IOW 5H: Lord Holmes' Caves to Headon Warren: IOW-5-S036 to S047 (The Needles):

Natural England welcomes the positive engagement from the Council during the development of our proposals and the supportive comments.

5.2 Map IOW 5L: Headon Warren to Widdick Chine: IOW-5-S062 (Headon Warren (east)):

Natural England agree with the council's representation that a revised route is required at this location. Natural England has worked with the council and the relevant landowners to agree a new route at this location, avoiding the area lost to erosion (annex 15). We ask the Secretary of State to approve the amended route as set out on the map included in annex 16. Accompanying this map, we have also included a revised entry for table 5.3.1.

Relevant appended documents (see section 5):

Annex 14: Extract from Report Table 5.3.3 'Roll-back implementation – more complex situations'

Annex 15: Email correspondence with landowners [redacted] and the National Trust agreeing to route

Annex 16: Map of new route at Headon Warren and revised attribute table 5.3.1

Representation number:

MCA/IOW5/R/6/IOW0145

Organisation/ person making representation:

Isle of Wight Council, [REDACTED]

Route section(s) specific to this representation:

IOW-5-S052 to IOW-S054

Other reports within stretch to which this representation also relates:

N/A

Representation in full

The Needles Attraction/Pleasure Park:

This representation by the Isle of Wight Council (Council) focuses on what it considers to be 3 shortcomings, namely:

- Unsafe and inconvenient route (use of an inland busy road without pavements as opposed to opting for a safe, convenient and enjoyable off-road coastal route with sea views).
- Non-compliance with the primary aim of the scheme that the route should follow the periphery of the coast and provide sea views.
- Natural England refusing to agree to fund essential infrastructure works to make a flight of steps National Trail standard compliant.

1. Unsafe and inconvenient route:

Natural England's proposed route for this section uses a stretch of road inland from the coastline without footways/pavements. It is a road which is incredibly busy during the holiday seasons, being the main and only vehicular access to the visitor attraction for all traffic entering and leaving. More concerning is that the route, without pavement or any designated pedestrian area, passes in front of an area where numerous coaches arrive, leave and manoeuvre.

The situation has not been assessed by a Highways Safety Engineer.

An alternative route should be used for the England Coast Path (see attached map 5.1 for compliant suggestions).

2. Non-compliance with primary duty of the Scheme:

It is considered that Natural England has not fulfilled its duty set out in section 297(2) of the Marine and Coastal Access Act 2009 ("2009 Act") to ensure that the route of the trail adheres to the periphery of the coast and to provide views of the sea.

Section 4.5.1 of the "Coastal Access – Natural England's Approved Scheme, 2013 (NE446)" (Approved Scheme) makes it very clear that the route should be close to the sea otherwise it would fail in its primary purpose to enable people to enjoy the coast of England.

The proposed route is along an inland road so does not therefore comply with the above provisions. The 2009 Act provides that Natural England is to strike a fair balance between the interests of the public in having rights of access over coastal land and the interests of owners or occupiers of such land.

The proposed route does not strike a "fair" balance as the access rights proposed for the public are along a busy road without pavements (see photograph 5.2 (1)) whereas there are a number off road options available which are capable of striking the fair balance test.

Section 5.2 of the Approved Scheme provides that coastal access rights should not interfere in any significant way with the operational needs of coastal businesses or organisations. However, section 5.2.2 provides that a trail can be aligned in a way that it is sensitive to land use – it can pass along the seaward edge of fields and along existing paths and tracks where suitable ones are available. With this in mind, an alternative route following the western boundary of the attraction's car parking area is perfectly feasible (please see attached map 5.1). The incredible sea views from this area should not be underestimated. The views from the western side of the car park include looking down on Alum Bay and of The Needles Lighthouse being the most popular and iconic views of the Isle of Wight. Indeed a route along the western side of the car park area would take in a viewing platform and the opportunity to experience heritage in the form of the Marconi Monument (where Guglielmo Marconi undertook his pioneering work at the end of the 19th Century, which led to radio and all telecommunications as we know it today). At the north western end of the car parking area the path could pass through a short section of the attraction (which is open to pedestrians free of charge in any event) to join an existing public

footpath (recorded on the definitive map as T23 and which runs through the attraction) to a designated view point. Please see photographs 5.2 (2) to (7) of these features and views.

Section 5.3 of the Approved Scheme provides for the prevention of coastal business suffering “significant” loss of income from the introduction of coastal access rights.

It is considered that Natural England has not fulfilled its duty to strike a fair balance between the concerns of the owners and the interests of the public as a trail through all or part of the land would be feasible without the owner suffering “significant” loss or any loss of income at all. This is because the attraction already has public rights of way recorded on the definitive map running through it and there are not barriers or entrance fees for pedestrians. In fact, routing the England Coast Path through the attraction will likely generate additional income as the attraction consists of cafes, shops, fun rides, etc, all of which are likely to be used by the public passing through.

3. National Trail compliant infrastructure:

Natural England requested assistance from the Council in assessing the likely implementation cost of the England Coast path. The Council surveyed and provided a full assessment. One item was the need to replace the flight of steps at route section S055 in order to be National Trail standard compliant. This work has been assessed by Natural England as not being necessary. However, the state and condition of the steps is such that by the time of implementation of the trail, replacement will be essential in order to keep the steps open. The Council requests confirmation that these steps can be replaced as part of the funded infrastructure works.

The attached map 5.2 provides options for alternative routes to resolve the issues identified at paragraphs 1 and 2 above and the location of the flight of steps referred to in paragraph 3.

Natural England’s comments:

Point 1.

Natural England disagrees with the council’s assertions. Our proposed route follows the very popular, existing Isle of Wight Coast Path and was agreed in consultation with the landowner. Our proposed route is used throughout the year by many thousands of visitors (both walkers and customers of the attraction). The access road to the car park is low speed and drivers will be aware that pedestrians share this space. The route proposed by the council would make use of a busy car parking area and so should not be considered traffic free or “off-road” in that sense.

In considering the route options here we worked closely with the Health and Safety Co-ordinator at the Needles Landmark Attraction. They agree that the proposed route is the safest and most suitable. Routes like the one proposed by the IOW Council and the Ramblers would run up the side their car park which is incredibly busy in peak times and there is no clear walkway. The proposed “yellow route” would also need to cross both the entrance and exit to the car park and in peak times this is accessed by over a thousand vehicles a day. It is also the main entrance to the site from the car park. Natural England’s proposed route is the Attraction’s preference as it utilises existing paths and pavements through the attraction, then crosses the road at a marked crossing point and continues along the edge of their coach park. This route gives a tarmacked surface all the way and although it does run along the coach park edge, this area is marshalled in peak season. We have been advised the attraction tends to have between 8-15 coaches visit a day, which makes for a much quieter route in terms of traffic movement. Please see email (annex 13) from [REDACTED], Health and Safety Co-ordinator in Section 5.

As such we strongly disagree with the Council that our proposed route is unsafe and inconvenient. From the Attraction's health and safety team's perspective the prospect of mixing heavy traffic and pedestrians would be highly concerning.

Point 2.

With regards non-compliance with the primary aim of the Scheme, our route here has given specific regard to the safety and convenience of those using the route. We acknowledge the desirability of adhering to the coast and providing views of the sea but in this instance (as in many places) there were several options for the route, with each option fulfilling the alignment criteria to varying degrees. It is for Natural England in its proposals to the Secretary of State to propose the balance to be struck between them on each stretch of coast.

In this instance we feel a fair balance has been struck, making use of an existing walked route that the landowner is happy with from a health and safety perspective. Our proposed route is the one that in our opinion best meets the s297 alignment criteria. It is still close to the sea with excellent sea views either side of this short diversion from the coast.

Point 3.

Withdrawn after confirmation from Natural England that all reasonable works to bring the path up to standard will be funded at time of implementation. Please see email (annex 18) in Section 5.

Relevant appended documents (see section 5):

Annex 13: Email from Needles Landmark Attractions with IWC map

Annex 17: Supporting maps and photographs supplied by the Isle of Wight Council

Map 5.2 showing possible alternative routes and location of flight of steps
photographs 5.2 (1) to (7)

Annex 18: Email from Isle of Wight Council regarding confirmation of representation withdrawal for point 3

Representation number:

MCA/IOW Stretch/R/1/IOW3910

Organisation/ person making representation:

[REDACTED] on behalf of Bird Aware Solent

The Solent Recreation Mitigation Partnership, a partnership comprising of the fifteen Solent local authorities (some of whom are themselves in the "full" category as Access Authorities), Natural England, the Royal Society for the Protection of Birds, the Hampshire & Isle of Wight Wildlife Trust, and Chichester Harbour Conservancy. The Partnership for South Hampshire provide political governance for the Solent Recreation Mitigation Partnership. This response is submitted with their support and backing, as such we are treating it as a "full" representation.

Route section(s) specific to this representation:

Whole Stretch

Other reports within stretch to which this representation also relates:

All reports

Representation in full:

As representatives of the SRMP partnership, we welcome the concept of the England Coast Path as something of value to local people and residents, but we have some real concerns that we would like addressing.

We recognise and thank you for your timely and inclusive approach to engaging with us during the development of a route for the ECP. As you are aware those parts of the Solent being identified as a potential route for the ECP are covered also by our mitigation programme, identified in our Strategy which was formally adopted by PUSH in December 2017 and replaces the interim Strategy we had been operating under since 2014.

We acknowledge the ECP team have consulted with us and hope that the ECP team have benefitted from SRMP partners' local knowledge and ecological expertise. We understand that this input has formed part of the evidence to define a route which does not lead to additional impacts on the Solent's SPA birds and their habitats. We appreciate that the proposed ECP route will need to satisfy the Habitats Regulations and that avoidance and mitigation may be required for the chosen route. This is in the same way that SRMP is a response to allowing development to proceed in satisfaction of those same regulations.

There are two specific areas of concern that have been expressed by partners that could potentially create conflict between the objectives of the two initiatives, outlined below.

Increased Visitor Numbers

Partners have expressed concerns that the ECP will lead to a rise in the number of visitors to sensitive parts of the coast. This will cause increased disturbance to the overwintering birds that journey to our SPAs, many of which are red and amber listed.

Whilst the SRMP is employing a range of measures to mitigate against disturbance from increasing housing numbers, it does not have the resources to deal with any further elevation in visitor numbers as a result of the ECP. Therefore there is a real concern of a conflict between these two initiatives. Any rise in visitor numbers as a result of ECP use has the potential to diminish the effectiveness of the SRMP measures. ECP will need to ensure that it provides its own mitigation package to protect against the impact of increased visitor numbers it will create.

Mapping of Spreading Zone

It is understood that in some areas of the ECP the spreading zone will be excepted for reasons of safety or nature conservation. Concern is raised about Ordnance Survey's plans for depicting the 'spreading zone' as a magenta wash and not making any exceptions for excepted areas.

As such, to an ECP user carrying an Ordnance Survey map it will appear that they are free/encouraged to walk on intertidal areas. In large parts of the SRMP area, these can be extremely large, support fragile habitats and be a huge food resource for birds and other species. Increased footfall through these areas would cause great damage to these fragile habitats and enormous disturbance to vulnerable wintering bird populations.

Whilst it is understood that exceptions to the spreading zone will be sign posted on the ground and listed on NE's website, enforcement of these would seem to fall to the landowner/occupier. If it is not possible to depict the spreading zone for the ECP accurately on Ordnance Survey maps, we would urge NE to reconsider its inclusion on the map entirely.

We are therefore seeking assurance from you about these two concerns in particular, rather than the more general issues you are already aware of and will be incorporating into the Access & Sensitive Features Appraisal.

Natural England's comments:

Natural England refers to its comments already given in response to MCA/IOW Stretch/R/1/IOW3910 under the IOW4 representations.

Representation number:

MCA/IOW Stretch/R/8/IOW3902

Organisation/ person making representation:

[REDACTED] on behalf of the Isle of Wight Local Access Forum

Route section(s) specific to this representation:

Whole stretch – Reports 2 to 10

Other reports within stretch to which this representation also relates:

As above

Representation in full:

The Isle of Wight Local Access Forum

Dear Colleagues,

Due to the Corvid 19 pandemic the I.W Local Access Forum were unable to hold its last Forum meeting to formulate an agreed response to the consultation process. In addition a number of key persons are currently in the shielding group (until end of June 2020) and as a consequence no site visits or consultations could take place in person.

As a National advisory body and constituted organisation the Chairman was therefore unable to agree or steer the Forum towards "a clear and agreed line" (para 5.2.4 LAF's in England).

However we have consistently been able to put our point across during the pre-consultation phase and have encouraged both individuals and organisations to comment at all stages.

sincerely, [REDACTED] - I.W LAF Chair.

Natural England's comments

Natural England refers to its comments already given in response to MCA/IOW Stretch/R/8/IOW3902 under the IOW4 representations.

Representation ID:

MCA/IOW Stretch/R/6/IOW0016

Organisation/ person making representation:

Open Spaces Society

Name of site:

IOW 2 - 10

Report map reference:

all

Route sections on or adjacent to the land:

all

Other reports within stretch to which this representation also relates

all

Representation in full:

The Open Spaces Society has considered the representations being submitted by The Ramblers' Association. They wish fully to support all those representations as follows:

Isle of Wight Report 2 –Overall

Key Issue paper 2a Quarr Abbey

Key Issue 2b Ryde House

Key Issue 2c Bembridge Lagoons

Key Issue 2d Bembridge Coast

Isle of Wight Report 3 Overall, with mention of Haddons Pit

Isle of Wight Report 4 Overall

Isle of Wight Report 5 Overall

Item 5.2 Freshwater Bay

Item 5.5 Needles Viewpoint

Item 5.7 Needles Park

Isle of Wight Report 6 Overall

Key Issue Paper 6A - Colwell to Linstone Chine

Key Issue Paper 6F – Hamstead Gully Copse

Isle of Wight Report 7 Overall

Key Issue Paper 7C - Corfe Fields

Key Issue Paper 7F – Newtown Ranges

Isle of Wight Report 8 Overall

Isle of Wight Report 9 Overall

Report 10 Overall

Item 10.3 Linking Northwood to the river

Item 10.6 Riverside Field

Item 10.13 Folly Works

Item 10.14 Whippingham riverside

Item 10.16 North of power station

Item 10.17 Britannia way riverside development

Natural England's comment:

Whilst the Open Spaces Society representation is made across the whole stretch, Natural England have responded to the above representation that is relevant to the IOW 5 report (Ramblers' Items - Isle of Wight Report 5 overall, Item 5.2, Item 5.5 & Item 5.7).

For our comments please see our response above to representations:

MCA/IOW5/R/1/IOW3889 for Isle of Wight Report 5 Overall,

MCA/IOW5/R/2/IOW3889 for item 5.2,

MCA/IOW5/R/3/IOW3889 for item 5.5 and

MCA/IOW5/R/4/IOW3889 for item 5.7 of the Ramblers' representations.

Relevant appended documents (see Section 6):

Annex 10: Ramblers Supporting Document, IOW 5
Annex 11: Extract from Report Table 5.3.2 'Other options considered'
Annex 12: Extract from Report Table 5.3.2 'Other options considered'
Annex 13: Email from Needles Landmark Attractions with IWC map

Other representations

Representation ID:

MCA/IOW Stretch/R/5/IOW4210

Organisation/ person making representation:

The Disabled Ramblers

Name of site:

IOW 2 - 10

Report map reference:

all

Route sections on or adjacent to the land:

all

Other reports within stretch to which this representation also relates:

all

Summary of representation:

Modern mobility vehicles can be very large, and many man-made barriers that will allow a manual wheelchair through are not large enough for all-terrain mobility vehicles, or for 'pavement' scooters and prevent legitimate access even though users of mobility vehicles have the same rights of access that walkers do. Man-made structures along the England Coast Path on the Isle of Wight should not be a barrier to access for users of mobility vehicles.

Disabled Ramblers notes that Natural England proposes to help fulfil the Isle of Wight ROWIP ambitions with regard to replacing all stiles with gates. This is a positive step.

Natural England states, in the Overview document to this stretch that they have considered interrelationships between their proposals and the Isle of Wight Rights of Way Improvement Plan (IOW ROWIP). The Isle of Wight ROWIP was published in 2006, then reassessed and reviewed in 2016 and the findings published in 2018. Policy C: Creating New Access of this review states an objective is to make improvements to the network which benefit as wide a range of users as possible, and which address issues of accessibility for people with mobility difficulties.

Disabled Ramblers requests that Natural England goes further than just replacing stiles with gates and considers all types of structure along the England Coast Path on the Isle of Wight. All new structures should allow convenient access to mobility vehicle riders as standard and should comply with British Standard BS5709: 2018 Gaps Gates and Stiles which places the emphasis on Least Restrictive Access. (NB this new standard postdates the ROWIP review, so would not have been available at the time to inform the review.)

Disabled Ramblers also request that, as part of the preparation of the England Coast Path, all existing structures are removed and replaced if they prevent access to users of mobility vehicles.

Suitability of all structures should always be considered on the assumption that a person with reduced mobility will be going out without more-mobile helpers, so will need to operate the structure on their own, seated on their mobility vehicle.

Disabled Ramblers requests:

- that installation of new structures should be suitable for those who use large mobility vehicles, and that comply with British Standard BS5709: 2018 Gaps Gates and Stiles.
- that existing man-made structures that are a barrier to those who use mobility vehicles, should be reviewed, and where necessary removed and replaced with suitable structures to allow access to these people
- compliance with the Equality Act 2010 (and the Public Sector Equality Duty within this act)
- compliance with the Countryside Rights of Way Act 2000
- adherence to the advice from Disabled Ramblers as set in the attached document Man-made Barriers and Least Restrictive Access.

Natural England's comment:

Natural England refers to it's comments already given in response to MCA/IOW Stretch/R/5/IOW4210 under the IOW4 representations.

Relevant appended documents (see Section 5):

Annex 19: Disabled Ramblers Document: Man-made Barriers and Least Restrictive Access

Representation ID:

MCA/IOW Stretch/R/3/IOW4199

Organisation/ person making representation:

[Redacted] on behalf of Isle of Wight Area of Outstanding Natural Beauty Steering Committee

Name of site:

Stretch wide

Report map reference:

All

Route sections on or adjacent to the land:

All

Other reports within stretch to which this representation also relates:

All

Summary of representation:

The Isle of Wight portion of the England Coast Path (National Trail) has the potential to provide both positive and negative impacts on the designated area and the communities that live and work within the designation. The IW AONB Steering Committee therefore believe there is sufficient reason to comment on the proposed route of the path as it impacts the purposes of the designation to conserve and enhance natural beauty

The Isle of Wight AONB Partnership welcomes the establishment of the England Coast Path on the coast of the Isle of Wight and recognise and applaud the work of the Isle of Wight Council's Rights of Way team in their long-term promotion and maintenance of the existing Isle of Wight coastal path. The extra resources being made available to the local authority to maintain the path are particularly welcomed in the light of the reduction in funding to local authorities in recent years.

They acknowledge the difficult task that Natural England faced given the coastal erosion issues, the environmental constraints and the often-conflicting issues of land-use and public access. They also recognise that, in the light of these constraints, the vast majority of the England Coast Path National Trail makes use of existing rights of way.

Expressions of disappointment and satisfaction were discussed regarding the details of the route. It was felt that opportunities had been missed for better access to the coast notably at Norton Spit and the woodland around Quarr. It was felt that photography would have both improved the interpretation and illustrated the issues that were highlighted in the report. Recommend a fixed-point photography scheme is established as an aid for subsequent monitoring of the effects of the proposed mitigation on the coastal environment and landscape.

With regard to the Isle of Wight AONB designation there are two specific comments for Natural England to consider:

Firstly, the apparent conflict between the provisions of the Conservation of Habitats and Species Regulations (CHSR)2017 with regard to the establishment of Solent Recreation and Mitigation Project (SRMP) and the provisions of the Marine and Coastal Access Act (MCA) 2009 and the promotion of the new England Coast Path. In the light of the Sandford principle, they would be grateful if Natural England would clarify the hierarchy of legislation that seeks to allow increased recreational pressure to Natura 2000 sites under MCA2009 whilst seeking to reduce it under CHSR2017. Natural England, in their response to the evidence used to establish the SRMP agreed that signage was inadequate to mitigate the adverse impacts to the internationally designated sites by the potential disturbance to foraging and roosting overwintering birds by people and dogs. Natural England agreed with the conclusion that the SRMP wardens would be far more effective in this regard. The representation asks therefore if Natural England's opinion has changed regarding the effectiveness of this form of mitigation and would be grateful for clarity on this issue. In any case, they recommend that, due the national importance of the AONB designation, Natural England commission an evaluation programme to determine the success of the mitigation measures outlined in the reports.

Secondly, the IWAONB, in pursuance of its objectives seek a reduction in the amount of signage and other clutter that detracts from the scenic beauty which the Coastal Path is enabling people to enjoy. In the light of the reports on the efficacy of signage noted above, we would ask that the level of required signage and associated infrastructure is reviewed.

In conclusion the provisions of the Marine and Coastal Act 2009 seem to have been satisfactorily addressed by the proposed route, given the constraints and having to consider the needs and aspirations of all parties concerned and are grateful to Natural England for the opportunity to consider and remark on the report

Natural England's comment:

Natural England refers to it's comments already given in response to MCA/IOW Stretch/R/3/IOW4199 under the IOW4 representations.

Representation ID:

MCA/IOW Stretch/R/2/IOW0259

Organisation/ person making representation:

Southern Gas

Name of site:

Stretch wide

Report map reference:

All

Route sections on or adjacent to the land:

Specified within the supporting documentation

Other reports within stretch to which this representation also relates:

All

Summary of representation:

NE should be aware that ground works that take place in the vicinity of gas infrastructure could result in personal injury or damage to the gas infrastructure. As such NE will be expected to consult with Southern Gas in relation to said points of interaction and any ground works that might be required.

Southern Gas has provided a bundle of plans that show the locations of the relevant infrastructure on the IOW which is situated either on the route of in close proximity (50m).

Natural England's comment:

Natural England refers to it's comments already given in response to MCA/IOW Stretch/R/2/IOW0259 under the IOW4 representations.

Relevant appended documents (see Section 6):

There are a significant number of documents that were provided to support NE in locating relevant gas infrastructure. These have not been attached but can be provided if necessary.

5. Supporting documents

Supporting Document	Description and reference number
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Annex 1	MCA/IOW4/R/1/IOW3854
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Ramblers Supporting Document, IOW 4

Annex 2	MCA/IOW4/R/1/IOW3854
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Correspondence with the Isle of Wight Council regarding the landslip at Binnel Bay

Annex 3 MCA/IOW/R/1/IOW3854
Email correspondence between Natural England and the landowners [REDACTED] agreeing to route

Annex 4 MCA/IOW4/R/1/IOW3854
Map of new route at Binnel Bay and revised attribute table 4.3.1

Annex 5 MCA/IOW4/R/1/IOW3854
Extract from the report document: paragraph 4.2.19

Annex 6 MCA/IOW4/R/2/IOW0145
Map of inclusion of Charles Wood as landward coastal margin and revised attribute table 4.3.1

Annex 7 MCA/IOW4/R/2/IOW0145
Highways risk assessment report recommendations for Undercliff Drive

Annex 8 MCA/IOW4/R/2/IOW0145
Email from Isle of Wight Council regarding confirmation of representation withdrawal for 4.3

Annex 9 MCA/IOW4/R/2/IOW0145
Email from Isle of Wight Council regarding confirmation of representation withdrawal for 4.5

Annex 10 MCA/IOW5/R/1/IOW3889
Ramblers Supporting Document, IOW 5

Annex 11 MCA/IOW5/R/3/IOW3889
Extract from Report Table 5.3.2 'Other options considered'

Annex 12 MCA/IOW5/R/4/IOW3889
Extract from Report Table 5.3.2 'Other options considered'

Annex 13 MCA/IOW5/R/4/IOW3889
Email from Needles Landmark Attractions with IWC map

Annex 14 MCA/IOW5/R/5/IOW0145
Extract from Report Table 5.3.3 'Roll-back implementation – more complex situations'

Annex 15 MCA/IOW5/R/5/IOW0145
Email correspondence with landowners [REDACTED] and the National Trust agreeing to route

Annex 16 MCA/IOW5/R/5/IOW0145
Map of new route at Headon Warren and revised attribute table 5.3.1

Annex 17 MCA/IOW5/R/6/IOW0145

Supporting maps and photographs supplied by the Isle of Wight Council

Annex 18 MCA/IOW5/R/6/IOW0145

Email from Isle of Wight Council regarding confirmation of representation withdrawal for point 3
Annex 19 MCA/IOW Stretch/R/5/IOW4210

Disabled Ramblers Document: Man-made Barriers and Least Restrictive Access

Annex 1: MCA/IOW4/R/1/IOW3854

Ramblers Supporting Document, IOW 4

Isle of Wight Report 4 Overall – IOW Ramblers Representation

4.1 Map IOW 4a S001 to S017 - The route leaves the coast at Binnel Point and heads north to join Undercliff Drive. This route is acceptable. However, it initially follows V124 through an area of landslip which will be expensive to reinstate and maintain to national trail standards. A feasible route circa 100m to the east along a field edge and then following existing well used paths would be more sustainable.



4.2 Map IOW 4a S018 to S023 - The route follows Undercliff Drive then uses NT117 to follow the existing CP along the top of the inland cliff. This route is satisfactory while Undercliff Drive remains a quiet cul-de-sac. However, if the busy narrow A3055 is reinstated then a suitable trail through fields and woodland to the south coastal side of Undercliff Dive needs to be considered.

4.3 Map IOW 4b S024 to S038 - From the Inland cliff the route follows existing public paths and quiet roads through Niton Parish to follow the coast at Castle Haven and St Catherine's Lighthouse. IOW Ramblers **support** this proposal which adds the attractive coastline around St Catherine's Point to the route.

[image redacted due to containing personal information]

4.4 Map IOW 6c S039 to S052 - The route zigzags up open access land to the top of Gore Cliff

4.5 Map IOW 4d S053 to S058 - The route follows Gore Cliff and uses existing paths to reach Blackgang roundabout. IOW Ramblers **support** this proposal which avoids the busy Blackgang Venue car park.

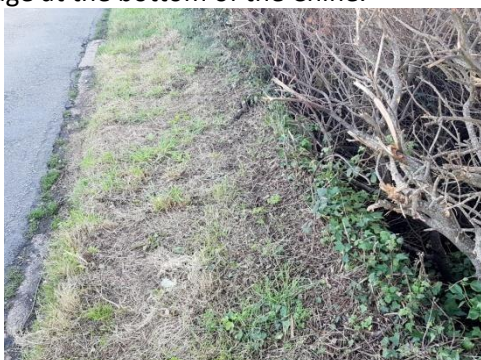
4.6 Map IOW 4d S059 to S063 - The route crosses the A3055 twice and runs along the verge of this busy road. The English Coast Path is often set back from busy roads by establishing field edge paths. Viable options to achieve this are available this location.



4.7 Map IOW 4d S064 to S067 - The route is set back from the coast to join The Terrace. This route is acceptable, so long as suitable provision is made to access the spreading room / coastal margin over fields to the coastline.

4.8 Map IOW 4d S068 to Map IOW 4f S074 - The route follows the coastline to Whale Chine. IOW Ramblers support this proposal with its dramatic views from the end of the Terrace lane and at the shoreline entrance to Whale Chine.

4.9 Map IOW4f S075 - The route uses a narrow verge between the busy A3055 and the edge of Whale Chine. This is a busy/fast section of the Military Road 'Racetrack'. Expensive engineering work along the edge of the chine will be required to create a 1.5 to 2 m pavement with suitable safety barriers. A safer more cost-effective solution should be considered. This could involve crossing Whale Chine with steps either side of a short footbridge at the bottom of the Chine.



4.10 Map IOW4f S076 to Map IOW 4j S124 - A mainly coastal route following the cliff and crossing several chines. The IOW Ramblers **support** this proposal including the diversion at Shepherds Chine to avoid Glanville Fritillary habitat.

Annex 2: MCA/IOW4/R/1/IOW3854

Correspondence with the Isle of Wight Council regarding the landslip at Binnel Bay

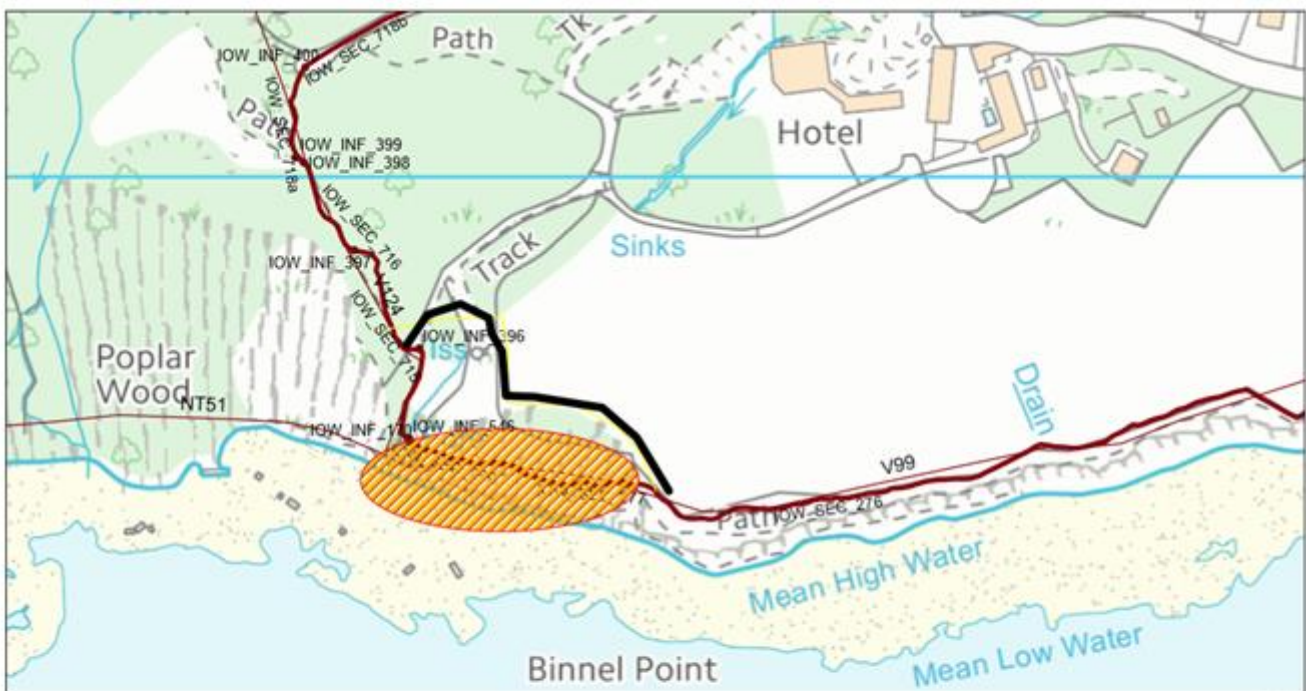
Thanks for the call earlier today. As requested, please find attached two maps showing the issues we discussed.

The Brighstone one shows the proposed ECP in blue with the permissive section through Brighstone Holiday Centre, the original definitive path (over the cliff) and the suggested change very roughly in yellow.

Binnel Bay shows the area of the recent erosion resulting in closure and the inability to reinstate in this location with any guarantee of longevity and the suggested (and yet to be discussed with landowners) alternative arrangement.

Please contact me if you need any further explanation or details.

Best wishes



1:2,500

Binnel Bay

Erosion area



Suggested but yet to be negotiated new route



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Date: 04/03/2021
User Name: John Brownscomb

Annex 3: MCA/IOW4/R/1/IOW3854

Email correspondence between Natural England and the landowners [REDACTED] agreeing to route

Thank you for all the information you have sent me.

With regard to the Final alignment map whilst " F" refers to a stock fence line, "G" is only a "field fence line", should this also be a "stock fence line " ?

Subject to the matter of the fence above and your agreement that who ever owns Woolverton Farm in the future will be consulted before any Roll -back takes place please, I am happy for you to go ahead with the route as set out in your email of 26/01/2022.

Regards



N Binnel Bay :Final agreed realignment of England Coast Path 20/01/22

1:750

- A: Location of proposed raised platform bridge approx 50cm above stream
- B: Clearance of 3 m wide path through Bramble area
- C: Selective felling or limb removal of Tamarisk for route
- D: Removal of 3 x Holm Oak and cut back Privet - potential need for riser steps
- E: Remove section of redundant fence line to give access to and from Dell.
- F: New approx 15m stock fence line to prevent access up cliff face by dogs
- G: Continuation of field fence line up outer edge of Dell to prevent access to field
- H: Clearance of scrub (Tamarisk/Bramble) to create continuation of path - potential need for riser steps
- I: Fence line on western side to prevent attempts to use former and now unsafe path - IWC sign here to indicate no access to beach.
- J & K: IWC signs stating no access to coast path to east.



Date: 26/01/2022

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I hope you are all well. Thank you again for showing us round last Thursday and for continuing to work with us so proactively.

Please find attached the 'Final alignment' map below of the route alignment which I will be proposing to DEFRA. [REDACTED] has also kindly annotated the map with key points from our discussion on site. The only thing we have altered since our site visit, is that instead of removing the entire fence at point E on the map (seaward of the path in the Dell), we will simply create an opening to allow walkers through the Dell. This is a result of our discussion with [REDACTED] who feels we should keep the fence as an additional boundary for safety reasons.

As discussed on site, the realigned route will continue to have 'roll-back'. I briefly mentioned the process on our visit, nevertheless, I've attached a section on 'Responsiveness to coastal change' of the Coastal Access scheme for further clarification.

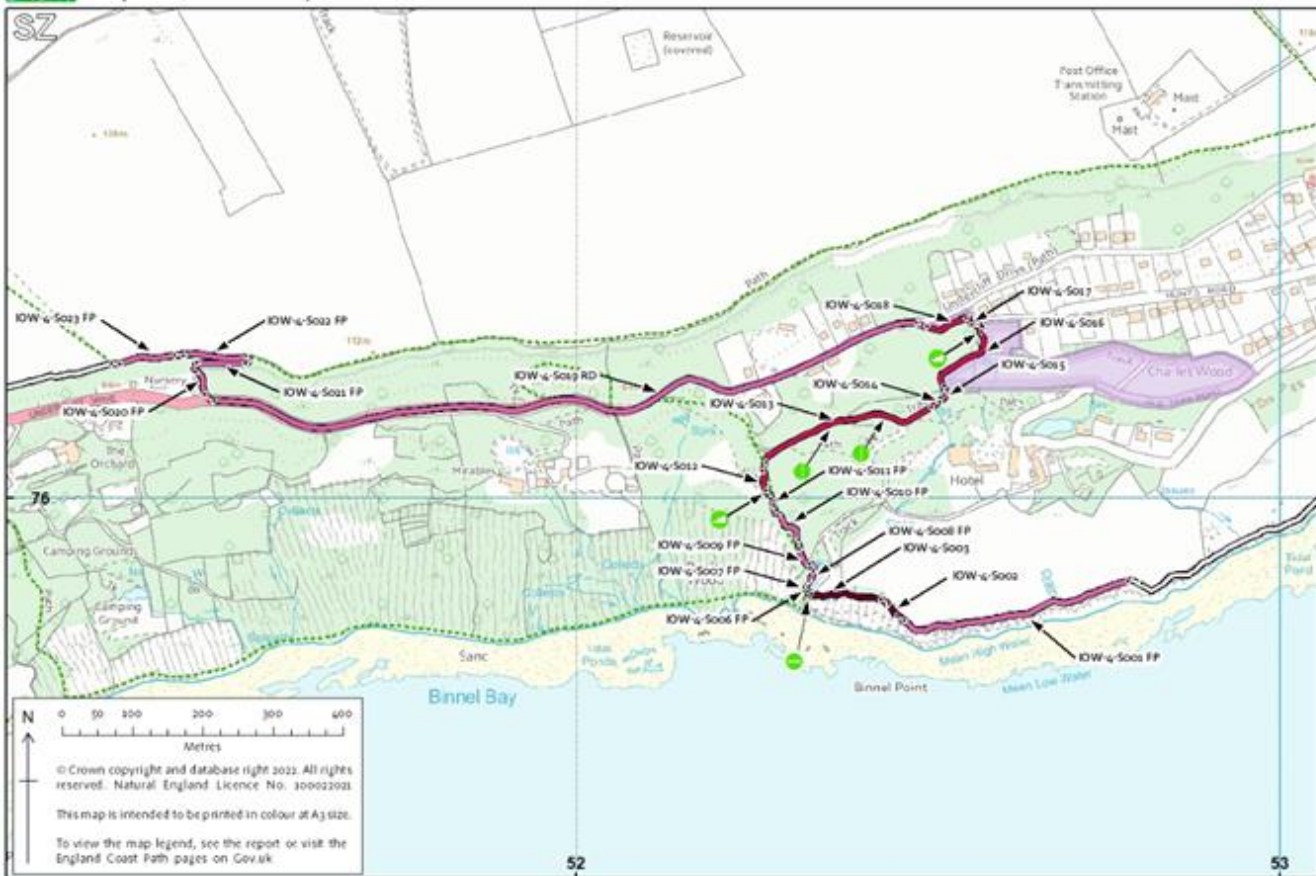
Once you've had a look, please can you send me an email stating if you are happy with us to go ahead with this route. This email chain will be included in my representation comments to DEFRA.

[REDACTED] and I are planning to walk the course for IOW 4 beginning of February to look at the current infrastructure on this route. I will send a separate email now regarding times and parking for this (no obligation for you to attend).

Please let me know if you need anything clarified. Thank you.

Annex 4: MCA/IOW4/R/1/IOW3854

Map of new route at Binnel Bay and revised attribute table 4.3.1



Map IOW 4a vi: Binnel Bay to The Orchard

1	2	3	4	5a	5b	5c	6
Map(s)	Route section number(s)	Current status of route section(s)	Roll-back proposed? (See Part 7 of Overview)	Landward margin contains coastal land type?	Proposal to specify landward boundary of margin (See maps)	Reason for landward boundary proposal	Explanatory notes
IOW 4a	IOW-4-S002	Not an existing walked route	Yes - See table 4.3.3	No	Fence line	Clarity and cohesion	
IOW 4a	IOW-4-S003	Not an existing walked route	Yes - See table 4.3.3	No	Other	Clarity and cohesion	Scrub-Dense scrub and trees at landward edge of path

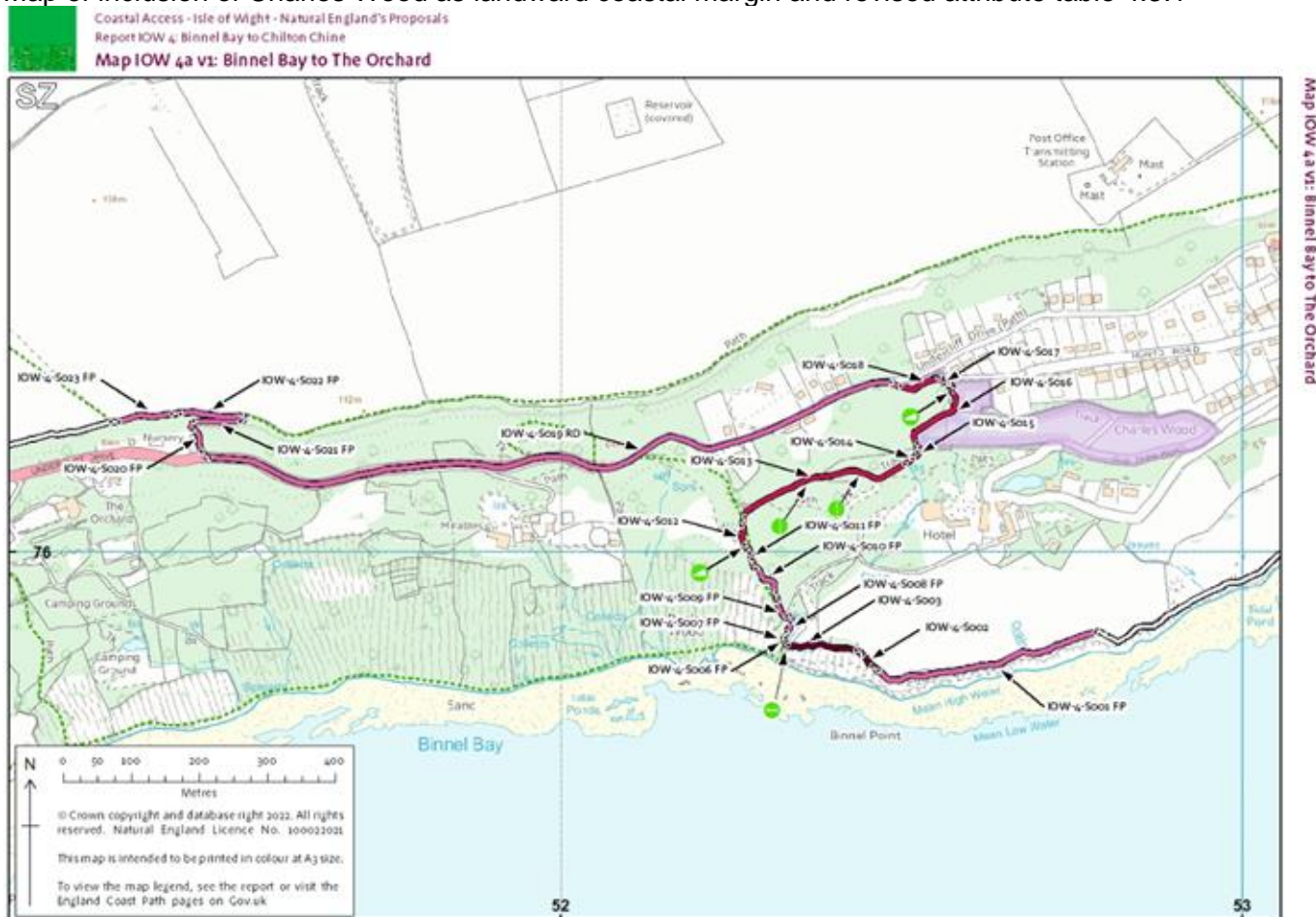
Annex 5: MCA/IOW4/R/1/IOW3854

Extract from the report document: paragraph 4.2.19

4.2.19 There are also places described in this report where we foresee a possible need for future changes to the proposed access provisions for reasons relating to highways safety. At undercliff Drive (see map IOW 4a) the highways authority are trialling a reduced speed limit of 30 mph. If the reduced

speed limit is not made permanent after the initial 18 month trial period, the trail alignment may need to be reassessed.

Map of inclusion of Charles Wood as landward coastal margin and revised attribute table 4.3.1



Map IOW 4a v1: Binnel Bay to The Orchard

1	2	3	4	5a	5b	5c	6
Map(s)	Route section number(s)	Current status of route section(s)	Roll-back proposed? (See Part 7 of Overview)	Landward margin contains coastal land type?	Proposal to specify landward boundary of margin (See maps)	Reason for landward boundary proposal	Explanatory notes
IOW 4a	IOW-4-S012 to IOW-4-S015*	Other existing walked route	Yes - See table 4.3.3	No			
IOW 4a	IOW-4-S016 to IOW-4-S018*	Other existing walked route	Yes - See table 4.3.3	No	Other	Additional landward area	Landward boundary is the landward edge of the Isle of Wight Council owned land

7 Summary and Recommendation

The table below provides a summary of the findings of this route safety assessment. Red sites are where there is potentially a high risk to pedestrians using the route and significant measures are required to address this.

Amber sites are where it is considered there is a moderate risk to pedestrians, but only relatively low-cost measures are required to address these.

Green sites are where the route is considered acceptable without any further intervention.

Site Reference	Location	Issue	Recommendation
3.1	Alverstone Road & Brocks Copse Road	Vehicle speeds, visibility and absence of verge to step off carriageway	Provide an off carriageway route that has some separation from the main carriageway
3.15	Undercliff Drive	Vehicle speeds, visibility and absence of verge to step off carriageway.	Reduce speed limit. Undertake verge improvements to increase number of areas where pedestrians can step out of the path of oncoming vehicles. March 2021 – speed limit has been reduced, additional signs to be installed to warn of pedestrians in road.

Email from Isle of Wight Council regarding confirmation of representation withdrawal for 4.3

Please accept this email as confirmation of our withdrawal of our representation re the proposed England Coast Path in respect of the section which runs along Undercliff Drive.

Please see the attached pdf report.

We are prepared to withdraw our representation following the confirmation of highway safety requirements from Island Roads namely:

- No requirement to provide refuges on verges (this would have been very difficult to achieve) due to the reduction in speed limit on the route to 30mph
- A review of the ECP alignment along the road should the 30mph speed limit be revoked at any point in the future
- A review of the ECP alignment along the road should the through road be re-established irrespective of its speed limit due the associated increased traffic flow
- The installation of 'Pedestrians in road' highway warning signs. Having looked on site on Tuesday I think we should ask for three of these to be installed. I have marked on the attached map where I believe these should be located (subject to guidance from Island Roads).
 - At the western end a sign located close to the entrance to Undercliff Nursery (point 1 on map) approx. 90m before the junction with IOW_4_S020 as this junction is not visible when travelling east until after the bend
 - At the western end of the highway realignment (point 2 on map) for traffic travelling westward and eastward as the next section is narrow albeit there is the alternative pedestrian route on the old road alignment. I suggest we also sign this to direct people to use this once we have had confirmation from Island Roads that it will remain open. It is, as you said, already in the coastal margin so no modification is needed.
 - By Woodington (point 3 on the map) for traffic travelling westward and using the narrower realignment section.

With best wishes

Location: Undercliff Drive
ECP Ref: IOW-4-S018 & IOW-4-S019
Date: 13 April 21
Inspected by: [REDACTED]
Conditions: Fine dry weather

Purpose: Inspection to respond to withdrawal of representation post Island Roads Highway Report



N
 Location: Undercliff Drive, St Lawrence/Niton
 PROW: Road
 ECP: IOW-4-S018 & S019

1:5,000

Legend

- Suggested location of pedestrians in road signs
- England Coast Path

We are prepared to withdraw our representation following the confirmation of highway safety requirements from Island Roads namely:

- No requirement to provide refuges on verges (this would have been very difficult to achieve) due to the reduction in speed limit on the route to 30mph
- A review of the ECP alignment along the road should the 30mph speed limit be revoked at any point in the future
- The installation of 'Pedestrians in road' highway warning signs. Having looked on site on Tuesday I think we should ask for three of these to be installed. I have marked on the attached map where I believe these should be located (subject to guidance from Island Roads).
 - At the western end a sign located close to the entrance to Undercliff Nursery (point 1 on map) approx. 90m before the junction with IOW_4_S020 as this junction is not visible when travelling east until after the bend
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 - By Woodington (point 3 on the map) for traffic travelling westward and using the narrower realignment section.



Figure 1: Location 1 - Undercliff Nursery (Site of proposed Pedestrians in Road sign).



Figure 2: Junction with IOW-4-S020 and IOW-4-S019 (start of shared road route).



Figure 3: Close to location 2 looking eastwards to start of realignment of road.



Figure 4: Location 3 lamp post at Woodington. Possible location for Pedestrians in Road sign.



Figure 5: Example of lack of verge for step off.

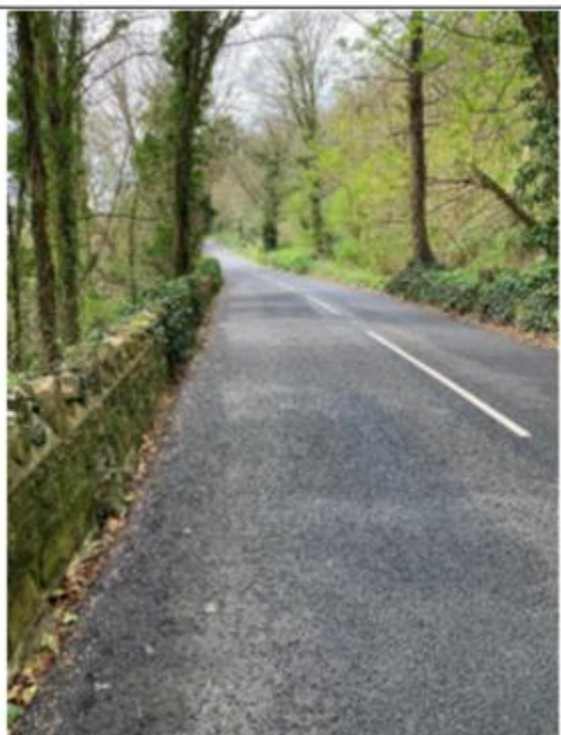


Figure 6: Further example of lack of verge for step off.

Annex 9: MCA/IOW4/R/2/IOW0145

Email from Isle of Wight Council regarding confirmation of representation withdrawal for 4.5

Please accept this email as confirmation of our withdrawal of our objection re the proposed England Coast Path in respect of road safety concerns for path users using Castlehaven Lane. We are prepared to do this following advice received from Island Roads that the proposal to use the verge with dedicated step off areas is acceptable and from you that the costs of all such reasonable works that are required to do this will be funded through the establishment phase.

With best wishes

Annex 10: MCA/IOW5/R/1/IOW3889

Ramblers Supporting Document, IOW 5

England Coast Path Stretch: **Isle of Wight**

Report IOW 5: Chilton Chine to Colwell Chine

Ramblers Supporting Document



Isle of Wight Report – IOW Ramblers Representation 5

IOW-5-S001 to IOW-5-S008 Follows existing coast path along the cliff edge passing Brook Chine

5.1 IOW-5-S009 to IOW-5-S014 - Follows existing coast path along cliff edge. New steps near Compton cottages and a new gate welcomed.

5.2 IOW-5-S015 to IOW-5-S016 - Follows the coast path. At S016 suggest being closer to the sea with good views of mermaid and stag rocks as well as the Bay area.



5.3 IOW-5-S017 to IOW-5-S030 - Follows clifftop path and descends steps onto the shingle beach leading to the revetment. Follows around Albion Hotel to track by conveniences and on towards Fort Redoubt. IWR support this route.

5.4 IOW-5-S031 to IOW-5-S035 - Clifftop path past Watcombe Bay, Tennyson Down, then West High Down on ridge path. IWR support this route

5.5 IOW-5-S036 to IOW-5-S044 - South of Coastguard cottages to cross New battery and descend steps. Extends existing PROW, but this route avoids the iconic needles viewpoint and rocket testing site.

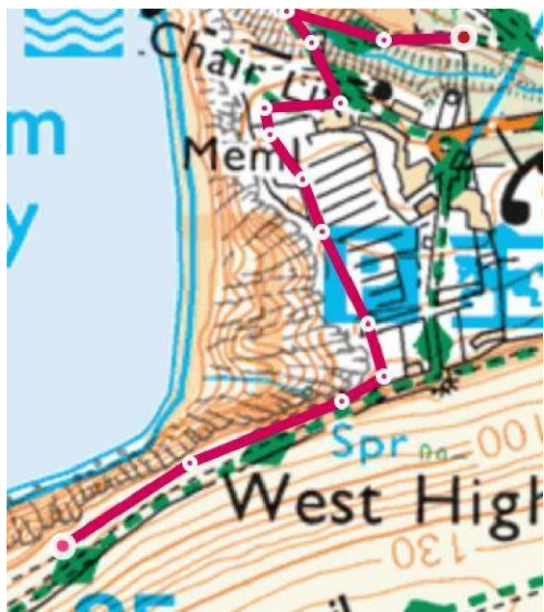


5.6 IOW-5-S045 to IOW-5-S050 - Follows a low use NT road with verge side path in places. Open top buses use this road in season. IWR support the opportunity to see the Old battery and good views of Alum Bay.



5.7 IOW-5-S051 - NE proposal follows the road through Needles Park which is used as the access/egress route from the main car park. The road is extremely busy in season and we consider this option to be high risk for walkers. A better option is to follow the perimeter of the

car park where there is much less traffic. There is waste land at the front of the lone cottage on the NT road. It may be possible to utilise this.



5.8 IOW-5-S052 to IOW-5-S055 - This takes the walker through a busy and noisy entertainment area. Our option of a perimeter car park route avoids most of this pedestrian traffic. Also, there is a memorial to Marconi and a staged viewpoint.

5.9 IOW-5-S056 to IOW-5-S057 - This takes walkers down wooden steps and then up a track to join the NT Headon Warren area. IWR support this option

5.10 IOW-5-S058 to IOW-5-S064 - The trail follows public footpaths above Headon Warren with panoramic views. IWR support this option where roll back is essential due to constant erosion.

5.11 IOW-5-S065 to IOW-5-S074 - The path necessarily follows a pathway and descends steps at Widdick Chine to the revetment at Totland Bay. IWR support this route

5.12 IOW-5-S075 to IOW-5-S083 - The route follows the revetment towards Colwell Bay. IWR support this route

Extract from Report Table 5.3.2 'Other options considered'

5.3.2 Other options considered: Maps IOW 5a to 5j – Chilton Chine to Colwell Chine

Map(s)	Route section numbers(s)	Other option(s) considered	Reasons for not proposing this option
IOW 5h	IOW-5-S036 to IOW-5-S048	We considered following the public right of way to the east of Coastguard Cottages, located just north of the telecommunication mast.	<p>We opted for the proposed route because:</p> <ul style="list-style-type: none"> ■ It is closer to the sea than the public footpath and would afford better sea views. ■ It takes walkers closer to points of interest such as the High Down Weapon Test Site and The Needles Point Battery. ■ This other option remains available for walkers to use at any time if they want a more direct route across to the headland
IOW 5h	IOW-5-S036 to IOW-5-S037	We considered aligning the trail down to the High Down Weapon Test Site and along the track.	<p>We opted for the proposed route because:</p> <ul style="list-style-type: none"> ■ It is the most convenient route. ■ It makes use of newly installed steps and infrastructure. ■ Coastal views are better maintained following the proposed route ■ Under our proposals, access to the High Down Weapon Test Site would still be available via spreading room.

Extract from Report Table 5.3.2 'Other options considered'

5.3.2 Other options considered: Maps IOW 5a to 5j – Chilton Chine to Colwell Chine

Map(s)	Route section numbers(s)	Other option(s) considered	Reasons for not proposing this option
IOW 5h	IOW-5-S050 to IOW-5-S054	We considered aligning the trail into the Needles Landmark Attraction car park and into the attraction at the north-west corner of the car park.	<p>We opted for the proposed trail because:</p> <ul style="list-style-type: none"> ■ It avoids directing walkers through the main car park entrance and a busy parking area. ■ It provides a better walking experience ■ We have done this to ensure no negative impacts on the business here ■ It takes walkers passed the public conveniences and café.
IOW 5h	IOW-5-S051	We considered aligning the trail into the Needles Landmark Attraction main car park on the eastern edge, and back out to the pavement to join trail section IOW-5-S052.	<p>We opted for the proposed route because:</p> <ul style="list-style-type: none"> ■ It avoids directing walkers through the main car park entrance and a busy parking area. ■ It is the most convenient route and provides a better walking experience

Annex 13: MCA/IOW5/R/4/IOW3889

Email from Needles Landmark Attractions with IWC map

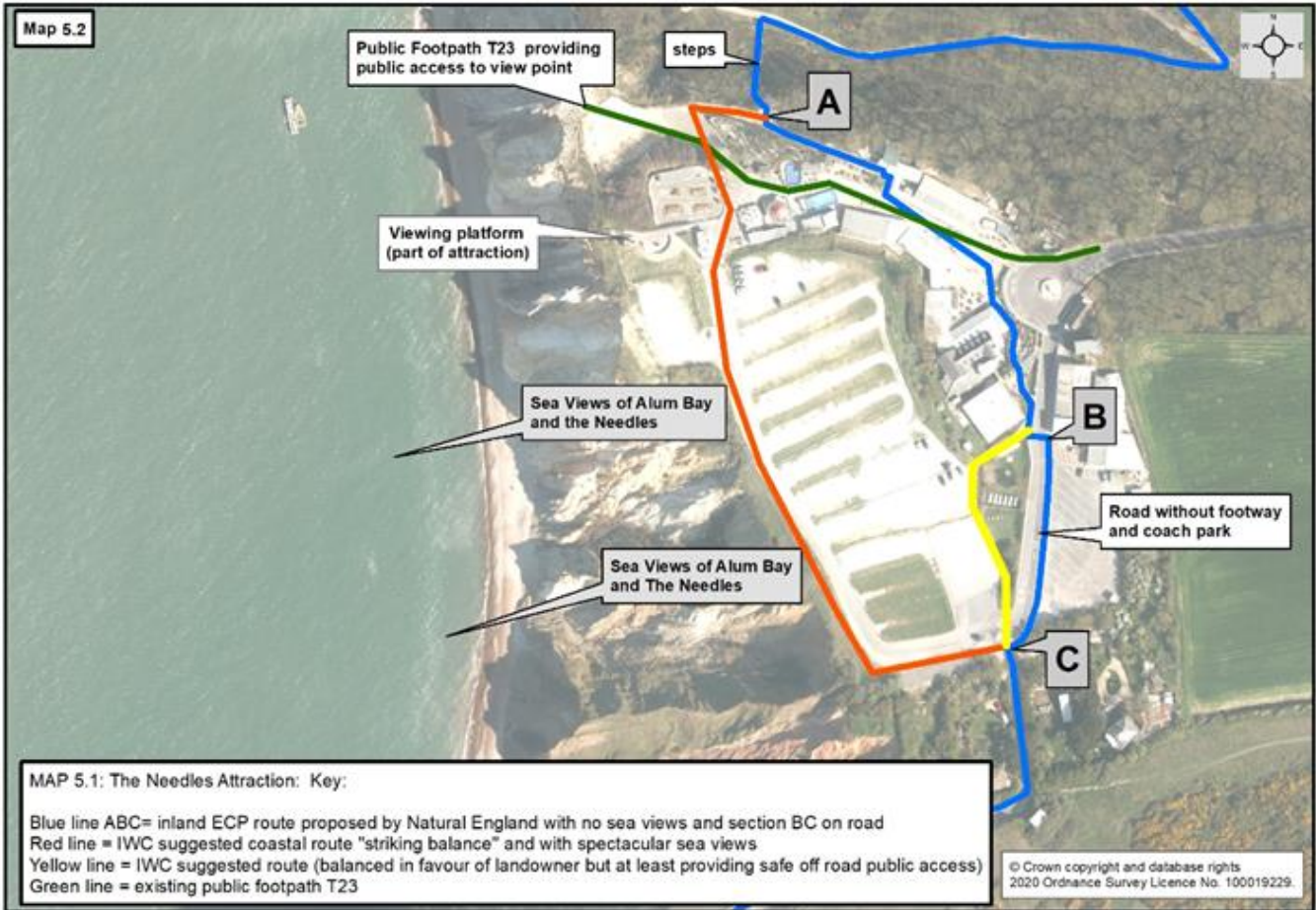
I'm the Health and Safety co-ordinator for the Needles Landmark Attraction, we spoke briefly already as it was I who answered your recent calls. [REDACTED] asked me to review the plans for the proposed route following your conversation yesterday and I am very much in agreement that the route marked in blue on the map would definitely be the safest and most suitable. The red route would unfortunately run up the side of our car park which as you can imagine is incredibly busy in peak times and there is no clear walkway. Similarly the yellow route, whilst slightly better, would also need to cross both the entrance and exit to the car park and in peak times this is accessed by over a thousand vehicles a day. It is also the main entrance to our site from the car

park. The blue route is ideal as it utilises existing paths and pavements, then crosses the road at a marked crossing point and continues along the edge of our coach park. This route gives a tarmacked surface all the way and although it does run along the coach park edge, this area is in fact marshalled in peak season and we tend to have between 8-15 coaches visit a day making for a much quieter route.

As you can probably understand from a health and safety perspective the prospect of mixing heavy traffic and pedestrians would be highly concerning and the blue ABC route is best placed to avoid this.

If I can be of any further assistance please don't hesitate to get in touch.

Kind regards,



Extract from Report Table 5.3.3 “Roll-back implementation – more complex situations’

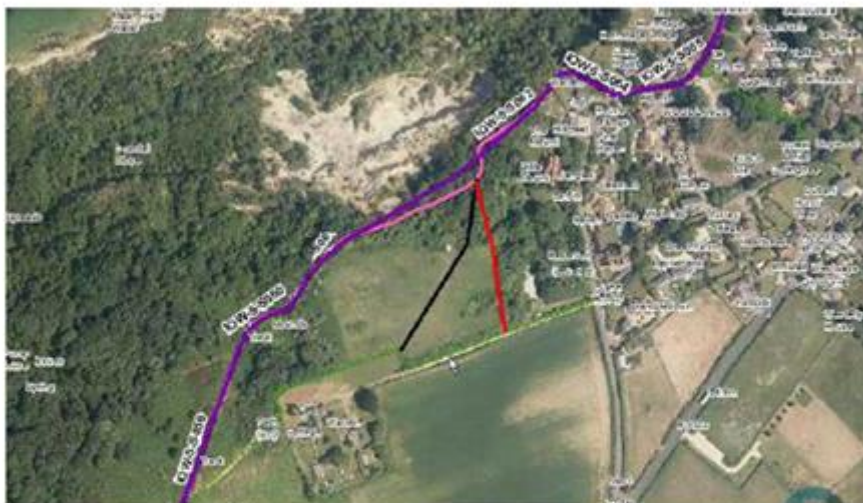
5.3.3 Roll-back implementation – more complex situations: Maps IOW 5b – Sud Moor to Brook Chine, IOW 5e – Freshwater Cliff to Freshwater Bay and IOW 5h to IOW 5i – Lord Holmes’ Caves to Widdick Chine

Map(s)	Route section number(s)	Feature(s) or site(s) potentially affected	Our likely approach to roll-back
IOW 5e	IOW-5-S017 to IOW-5-S026	Freshwater Bay buildings and curtilage	If it is no longer possible to find a viable route seaward of the specified excepted land (e.g. buildings, curtilage, gardens etc), we will choose a route landward of it, following discussions with owners and occupiers.
IOW 5i	IOW-5-S060 to IOW-5-S064	Warren Cottage and <u>Totland</u> residential buildings and curtilage	
IOW 5i & IOW 5j	IOW-5-S066 to IOW-5-S075	Buildings and curtilage at <u>Widdick Chine</u>	
IOW 5j	IOW-5-S075 to IOW-5-S083	Buildings and curtilage in <u>Totland Bay</u> and Colwell Bay	

Email correspondence with landowners [REDACTED] and the National Trust agreeing to route

Lovely to chat to you this morning and for agreeing a route at Headon Warren.

Just to re-confirm that you are happy for the England Coast Path to be routed through your field along the red route on the map below?



As promised, I've attached the link to the report which was published March last year below (sorry it's too large to send the documents directly):

<https://www.gov.uk/government/publications/england-coast-path-on-the-isle-of-wight-comment-on-proposals>

Let me know if you need anything else.

Regards,

I have no problem with clearing a line through the scrub provided SSSI consent is sought and the timing of clearance is between something like 15th August and 28th February. Unfortunately that doesn't give much time this winter and I am afraid we do not have the capacity to do it in our Ranger team as we are already struggling to complete planned winter tasks at the moment.

Please find attached a map showing our boundary.

With regards

Sent: 12 February 2021 12:05

To:

Cc:

Subject: England Coast Path at Headon Warren- Hedgerow clearance

Caution, this email originates outside of National Trust.

Dear

As you are probably aware, there has been a land slip along the coast path at Headon Warren. The England Coast Path was due to follow the current public footpath (the green dotted line on the map below) and has roll back proposed. The landowner of the field has agreed a route through to join up with the footpath, however, it would require cutting through hedges/scrub owned by the National Trust (highlighted by the red circle).

Do you foresee any issues with creating a route through the hedges to join up to the existing path?

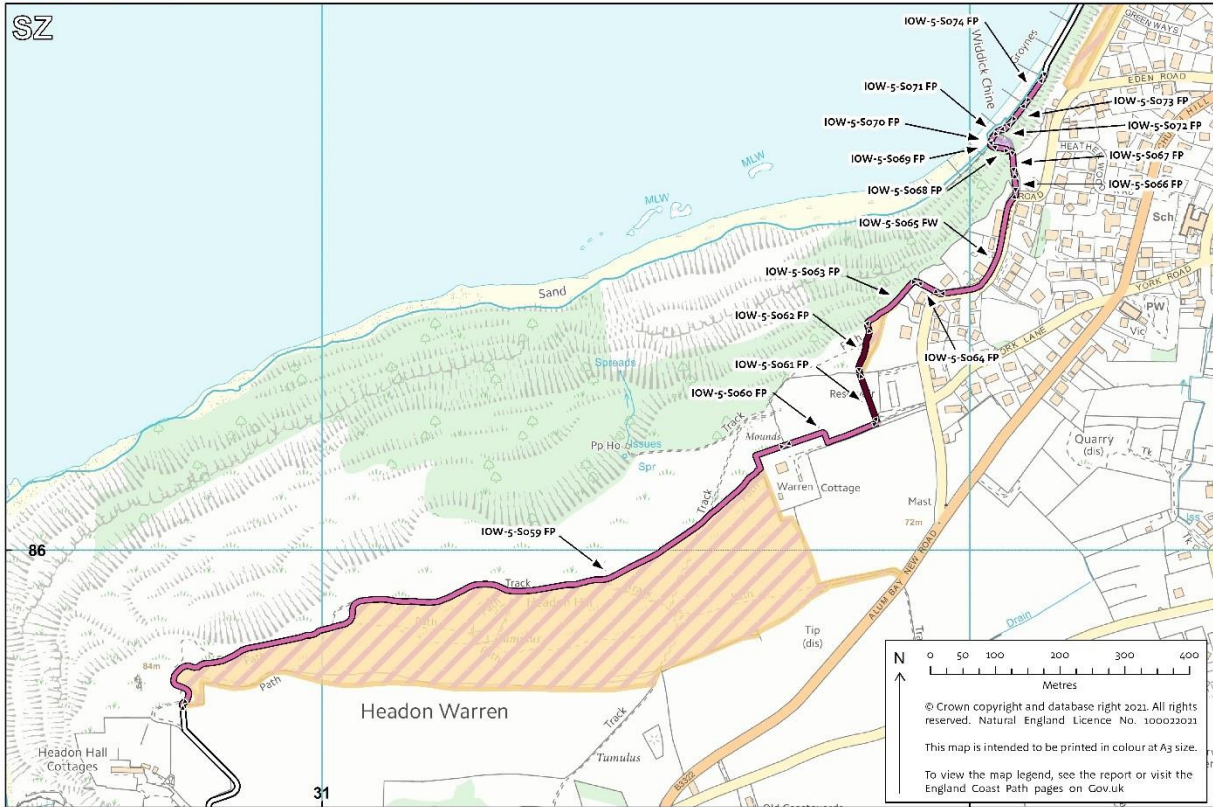


I look forward to hearing from you.

Regards,

Annex 16: MCA/IOW5/R/5/IOW0145

Map of new route at Headon Warren and revised attribute table 5.3.1



Map IOW 5i v1: Headon Warren to Widdick Chine

1	2	3	4	5a	5b	5c	6
Map(s)	Route section number(s)	Current status of route section(s)	Roll-back proposed? (See Part 7 of Overview)	Landward margin contains coastal land type?	Proposal to specify landward boundary of margin (See maps)	Reason for landward boundary proposal	Explanatory notes

IOW 5i	IOW-5-S060	Public footpath	Yes - See table 5.3.3	No	Fence line	Clarity and cohesion	
IOW 5i	IOW-5-S061	Not an existing walked route	Yes - See table 5.3.3	No			

IOW 5i	IOW-5-S062	Not an existing walked route	Yes - See table 5.3.3	No	Hedgerow	Clarity and cohesion	
IOW 5i	IOW-5-S063 & IOW-5-S064	Public footpath	Yes - See table 5.3.3	No			

Annex 17: MCA/IOW5/R/6/IOW0145

Supporting maps and photographs supplied by the Isle of Wight Council



Photo 5.2. (2) showing grass verge available for walking on eastern side of car park



Photo 5.2 (3) showing grass areas on western side of car park available to walk along



Photo 5.2 (4) showing view from western side of car park



Photo 5.2 (5) showing Marconi Monument and viewing platform



Photo 5.2 (6) view from viewing platform



Photo 5.2 (7) view from western end of Public Footpath T23



Annex 18: MCA/IOW5/R/6/IOW0145

Email from Isle of Wight Council regarding confirmation of representation withdrawal for point 3

Please accept this email as confirmation of our part withdrawal of our representation re the proposed England Coast Path in respect of land at the Needles Pleasure Park. We are prepared to withdraw our representation in respect of the cost of the works required following your confirmation that all reasonable works to bring the path up to standard will be funded at the time of establishment.

With best wishes

Annex 19: MCA/IOW Stretch/R/5/IOW4210

Disabled Ramblers Document: *Man-made Barriers and Least Restrictive Access*



Disabled Ramblers Ltd

Company registered in England Number 05030316

Registered Office: 7 Drury Lane, Hunsdon, Ware, Herts SG12 8NU
<https://disabledramblers.co.uk>

Man-made Barriers & Least Restrictive Access

There are a significant and steadily increasing number of people with reduced mobility who like to get off tarmac onto natural surfaces and out to wilder areas to enjoy great views and get in touch with nature whenever they are able to. There are many ways they achieve this, depending on how rough and steep the terrain is. A determined pusher of a manual wheelchair can enable access to a disabled person across grass and up steep hills. An off-road mobility scooter rider can manage rough terrain, significant slopes, cross water up to 8" deep, and depending on their battery type and the terrain they are on, they can easily run 8 miles or more on one charge. Modern batteries are now available that allow a range of up to 60 miles on one charge! Many more people too are now using mobility vehicles in urban areas, both manual and electric. 'Pavement' scooters and powerchairs often have very low ground clearance, and some disabilities mean that users are unable to withstand jolts, so well placed dropped kerbs and safe places to cross roads are needed.

Modern mobility vehicles can be very large, and many man-made barriers that will allow a manual wheelchair through are not large enough for all-terrain mobility vehicles, or for 'pavement' scooters and prevent legitimate access.

Users of mobility vehicles have the same rights of access that walkers do. Man-made structures along walking routes should not be a barrier to access for users of mobility vehicles. New structures should allow convenient access to mobility vehicle riders as standard, and should comply with British Standard BS5709: 2018 Gaps Gates and Stiles which places the emphasis on Least Restrictive Access. Suitability of structures should always be considered on the assumption that a person with reduced mobility will be going out without more-mobile helpers, so will need to operate the structure on their own, seated on their mobility vehicle.

When it is impossible to avoid man-made structures which are a barrier to mobility vehicles, wherever feasible a nearby alternative should be provided. For example, a slope adjacent to steps or a signed short diversion.

Whilst BS5709:2018 does not automatically apply retrospectively to most existing structures, Disabled Ramblers would like to see existing structures removed and replaced if they prevent access to users of mobility vehicles. Some structures can have a 'life' of 15 years – it would be a crying shame if those with limited mobility have to wait this long before they can be afforded the same access that walkers have to those areas where the terrain is suitable for mobility vehicles.

Disabled Ramblers campaign for:

- Installation of new structures that are suitable for those who use large mobility vehicles, and that comply with British Standard BS5709: 2018 Gaps Gates and Stiles.
- Review of existing man-made structures that are a barrier to those who use mobility vehicles, and where possible removal and replacement with suitable structures to allow access to these people
- compliance with the Equality Act 2010 (and the Public Sector Equality Duty within this act)
- compliance with the Countryside Rights of Way Act 2000
- adherence to the advice from Disabled Ramblers as set out below.

Useful figures

- **Mobility Vehicles** ○ **Legal Maximum Width of Category 3 mobility vehicles: 85cm.** The same width is needed all the way up to pass through any kind of barrier to allow for handlebars, armrests and other bodywork.

- **Length:** Mobility vehicles vary in length, but **173cm is a guide minimum length.**
- **Gaps** should be 1.1 minimum width on a footpath (BS5709:2018)
- **Pedestrian gates** The minimum clear width should be 1.1m (BS5709:2018)
- **Manoeuvring space** One-way opening gates need more manoeuvring space than two-way opening ones and some mobility vehicles may need a three metre diameter space
- **The ground** before, through and after any gap or barrier must be flat otherwise the resulting tilt effectively reduces the width

Gaps

A Gap is always the preferred solution for access, and the least restrictive option (BS 5709:2018). The minimum clear width of gaps on footpaths should be 1.1metres (BS

5709:2018).

Bollards

On a footpath, these should be placed to allow a minimum gap of 1.1metres through which large mobility vehicles can pass.

Pedestrian gates

A two-way, self-closing gate closing gate with trombone handle and Centrewire EASY LATCH is the easiest to use – if well maintained, and if a simple gap is unacceptable. Yellow handles and EASY LATCH allow greater visibility and assist those with impaired sight too:

<https://centrewire.com/products/easy-latch-for2-way-gate/> One-way opening gates need more manoeuvring space than two-way and some mobility vehicles may need a three metre diameter space to manoeuvre around a one-way gate. The minimum clear width of pedestrian gates should be 1.1metres (BS 5709:2018).

Field gates

Field gates (sometimes used across access roads) are too large and heavy for those with limited mobility to use, so should always be paired with an alternative such as a gap or pedestrian gate. However if this is not possible, a York 2 in 1 Gate:

<https://centrewire.com/products/york-2in-1/> could be an alternative, with a self-closing, two-way opening, yellow handles and EASY LATCH.

Bristol gates

(Step-over metal gate within a larger gate: <https://centrewire.com/?s=bristol>) These are a barrier to mobility vehicles as well as to pushchairs and so should be replaced with an appropriate structure. If space is limited, and a pedestrian gate not possible, a York 2 in 1 Gate: <https://centrewire.com/products/york-2in-1/> could be an alternative, with a self-closing, two-way opening, yellow handle and EASY LATCH for the public access part of the gate.

Kissing gates

A two-way, self-closing gate is hugely preferable to a kissing gate, but in certain situations a kissing gate might be needed. Some kissing gates can be used by smaller pushchairs and small wheelchairs, but are impassable by mobility scooters and other mobility vehicles. Unless an existing kissing gate has been specifically designed for access by large mobility vehicles, it should be replaced, if possible with a suitable gate (see above). If a kissing gate really must be used, Disabled Ramblers only recommend the [Centrewire Woodstock Large Mobility](#) kissing gate. This is fitted with a RADAR lock which can be used by some users of mobility vehicles. NB

this is the only type of kissing gate that is large enough to be used by all-terrain and large mobility vehicles.

Note about RADAR locks on Kissing gates

Often mobility vehicle riders find RADAR locks difficult to use, so they should only be used if there is not a suitable alternative arrangement. Here are some of the reasons why:

- Rider cannot get off mobility vehicle to reach the lock
- Rider cannot reach lock from mobility vehicle (poor balance, lack of core strength etc.)
- Position of lock is in a corner so mobility vehicle cannot come alongside lock to reach it, even at an angle
- RADAR lock has not been well maintained and no longer works properly
- Not all disabled people realise that a RADAR key will open the lock, and don't know how these kissing gates work. There must be an appropriate, informative, label beside the lock.

Board walks, Footbridges, Quad bike bridges

All of these structures should be designed to be appropriate for use by large mobility vehicles, be sufficiently wide and strong, and have toe-boards (a deck level edge rail) as edge protection. On longer board walks there may also be a need to provide periodic passing places.

Sleeper bridges

Sleeper bridges are very often 3 sleepers wide, but they need to be at least 4 sleepers wide to allow for use by mobility vehicles.

Steps

Whenever possible, step free routes should be available to users of mobility vehicles. Existing steps could be replaced, or supplemented at the side, by a slope or ramp. Where this is not possible, an alternative route should be provided. Sometimes this might necessitate a short diversion, regaining the main route a little further on, and this diversion should be signed.

Cycle chicanes and staggered barriers

Cycle chicanes are, in most instances, impassable by mobility vehicles, in which case they should be replaced with an appropriate structure. Other forms of staggered barriers, such as those used to slow people down before a road, are very often equally impassable, especially for large mobility vehicles.

Undefined barriers, Motorcycle barriers, A frames, K barriers etc.

Motorcycle barriers are to be avoided. Often they form an intimidating, narrow gap. Frequently put in place to restrict the illegal access of motorcycle users, they should only ever be used after very careful consideration of the measured extent of the motorcycle problem, and after all other solutions have been considered. In some areas existing motorcycle barriers are no longer necessary as there is no longer a motorcycle problem: in these cases the barriers should be removed.

If no alternative is possible, the gap in the barrier should be adjusted to allow riders of large mobility vehicles to pass through. Mobility vehicles can legally be up to 85 cm wide so the gap should be at least this; and the same width should be allowed all the way up from the

ground to enable room for handle bars, arm rests and other bodywork. The ground beneath should be level otherwise a greater width is needed. K barriers are often less intimidating and allow for various options to be chosen, such a shallow squeeze plate which is positioned

higher off the ground: <http://www.kbarriers.co.uk/>

Stepping stones

Stepping stones are a barrier to users of mobility vehicles, walkers who are less agile, and families with pushchairs. They should be replaced with a suitable alternative such as a footbridge (which, if not flush with the ground should have appropriate slopes at either end, not steps). If there are good reasons to retain the stepping stones, such as being listed by Historic England, a suitable alternative should be provided nearby, in addition to the stepping stones.

Stiles

Stiles are a barrier to mobility vehicles, walkers who are less agile, and families with pushchairs. They should be replaced with a suitable alternative structure. If there are good reasons to retain the stile, such as it being listed by Historic England, then an alternative to the stile, such as a pedestrian gate, should be provided nearby in addition to the stile.

Urban areas and Kerbs

In urban areas people with reduced mobility may well be using pavement scooters which have low ground clearance. Where the path follows a footway (e.g. pavement) it should be sufficiently wide for large mobility vehicles, and free of obstructions. The provision and correct positioning of dropped kerbs at suitable places along the footway is essential. Every time the path passes over a kerb, a dropped kerb should be provided.

Disabled Ramblers March 2020

