

Cabinet – 10 March 2022

Written question from Cllr Peter Spink to the Leader, Isle of Wight Council

I have read and attached a copy of the minutes of a meeting between Graham Bliss and Cycle-Wight which took place on 17 June 2021

re the proposed bridleway between Newport and Freshwater (the Greenway).

- 1. Does Cabinet, and in particular Cllr Fuller in his capacity as Chair of the Local Access Forum, and Cabinet Member for Planning and Community Engagement, agree that the following extracts taken from the minutes are of concern for the reasons stated in italics; and what is proposed to rectify these matters of concern?**

a). "In principal landowners will be compensated for land taken up by the track at a flat rate per acre, which would be the same for all on the route (that is there was no special negotiation)". *It would appear that planning application Lee Farm was the subject of special negotiation, namely the recommendation of planning officers that planning committee waives the right to require an element of affordable housing.*

Response

The local planning authority (LPA) cannot prevent applications being submitted and it is required to determine any valid planning application. In this case, the planning application for Lee Farm was valid and given the planning balance involved in the decision it was considered appropriate for the application to be considered by the Planning Committee. The issues relevant to the planning consideration of the application were set out in the officer's report and then the application and the officer's recommendation was duly considered by the Planning Committee. The Committee considered the issues and debated the application. It then voted to approve the planning application, subject to additional conditions.

b). "To bring about co-operation from landowners there have had to be trade-off agreements to extinguish some rights-of-way. Some of these are north-south footpaths exchanged for the east-west multi-use route. About 4700m of footpaths are likely to be removed". *There should have been/will be a full public consultation before rights of way, some of which are ancient rights, are made the subject of negotiation.*

Response

No public rights of way have yet been removed. Negotiations with landowners where public right of way diversions, extinguishments and creations may occur are yet to be concluded. Suffice to say that no changes would (or could) be made without full public consultation under the provisions of the Highways Act 1980. Further, the path changes discussed to date would improve connectivity with the existing rights of way network as well as providing a Greenway route.

- 2. Have land-owners been subjected to threats of compulsory purchase if they do not agree to allowing their land to be used for the Greenway?**

Response

Compulsory Purchase Orders should only be used as a last resort, and when the acquiring authority has demonstrated that they have taken reasonable steps to acquire the land. At this moment in time negotiations with landowners have been undertaken on an individual basis.

- 3. Based on the briefing Notes attached to an email of 23 June 2021 from Lucy McLaughlin it does not appear that any of the above matters were disclosed at the subsequent briefing of Councillors. Does Cabinet agree that this is a matter of concern and not in the interest of being open and transparent?**

It is considered that the Planning Committee had all the necessary planning information in front of it to make the planning decision that it did.