

VENTNOR TOWN COUNCIL

Environment & Transport Committee

PROPOSAL: Consent to cultivate County owned land adjacent to The Royal Hotel under Section 96 of the Highways Act 1980

Proposed by: Councillor Karl Hunter

Request by: The Royal Hotel, Ventnor

1. Background

Councillors may recall that this matter was first brought to a full council meeting in August 2025, where my initial written proposal was discussed. However, unfortunately I had to give my apologies for that meeting.

As a reminder, The Royal Hotel asked me for help to determine if it was possible to take on the maintenance of a small plot of County owned land situated to the west of the hotel, between Belgrave Road and Park Avenue. The plot falls under the management of Island Roads but has not been well maintained. Given its proximity to the hotel's own well kept grounds, the hotel's owner, Mr Mohammed Bathich, proposed to bring the plot up to a higher standard at no cost to the council.

Former head gardener at the Botanical Gardens, and now The Royal Hotel, John Cronin, prepared a detailed grounds improvement plan, including general weeding and pruning, removal of invasive plants, canopy lifting, and additional planting in keeping with the area. This was attached to my proposal at the August meeting.

2. Progress to Date

Following the August meeting, I liaised extensively with the Isle of Wight Council and Island Roads to establish a formal route for approval. Over the course of many months, around thirty emails were sent to six or seven different officers across multiple departments, none of whom had the authority to make a decision. This resulted in significant delays and no resolution.

A formal complaint was subsequently submitted to the IWC. This proved effective, and a positive response was received from Scott Headey, Strategic Manager for Highways and Transportation who confirmed that:

... we can give consent for cultivation work under section 96 of the Highways Act 1980. This will enable Ventnor Town Council to apply for consent under Section 96 of the Highways Act 1980 to cultivate this area then come to your own agreement with The Royal Hotel.

Under this arrangement, neither VTC nor The Royal Hotel would need to assume the responsibility of public liability for the plot.

All highway licences are currently undertaken through a manual process by Iain Thornton, Streetworks Manager at Island Roads on behalf of the Isle of Wight Council. Mr Thornton is aware of the resolution and waiting to hear from VTC.

3. Proposed Way Forward

That VTC applies to the Isle of Wight Council via Island Roads for consent to cultivate the land adjacent to the Royal Hotel under Section 96 of the Highways Act 1980 as suggested by Mr Headey.

That, upon consent being granted, VTC enters into a separate agreement with the Royal Hotel delegating the day to day cultivation and management of the plot to the hotel, for an initial period of up to 3 years (renewable), in line with the council's scheme of delegations.

That the agreement includes a mutual notice clause allowing either party to withdraw, ensuring that VTC is not left with an unfunded maintenance schedule should the Royal Hotel wish to end the arrangement in the future.

4. Considerations

There is no cost implication to VTC. All cultivation work will be funded by the Royal Hotel.

If The Royal Hotel withdraws from the arrangement, maintenance responsibility to revert back to the IWC by way of clause to mitigate maintenance risk reverting to VTC.

The IWC will maintain legal ownership and liability of the plot.

5. Recommendation

That the Environment & Transport Committee approves the proposal as set out above and authorises the Clerk to proceed accordingly.