

Executive Summary: Proposed Ramsey (Boundary Extension) Order 2023

This executive summary provides an overview of the report titled "Proposed Ramsey (Boundary Extension) Order 2023," which discusses the considerations and concerns related to the extension of the Ramsey Town boundary into the surrounding rural areas, specifically Maughold and Lezayre. The report analyses the proposed extension in light of the six criteria established by Professor Bates and COMIN during the Tynwald debate on the extension of Douglas Town Boundary.

The Garff District Commissioners have reviewed the proposed boundary extension and raised significant concerns about its appropriateness and justification. The Commissioners contend that the chosen criteria are unbalanced and favour urban authorities, potentially disadvantaging rural residents who have distinct needs and also compromising the identity of rural communities.

Although out-with the six criteria, the financial implications for residents in Maughold and Lezayre are emphasized as potentially substantial. The Commissioners express concerns that the absence of a thorough financial analysis could prejudice the interests of these residents and not serve the public interest.

Moreover, the timing of Ramsey's application for boundary expansion is deemed premature and inconsistent with the ongoing development of the Area Plan for the North and West. The Commissioners contend that waiting for the Area Plan's findings would be a more informed approach.

Analyzing the six criteria:

1. **Community of Interest:** The report argues that the proposed extension fails to demonstrate a true community of interest, given the distinct landscape and character of the rural areas, which differ significantly from urban settings.
2. **Accessibility to Public Amenity Areas:** The Commissioners assert that existing access points to public amenity areas from Ramsey are already well-established and remote access points from Maughold and Lezayre are extensively used.
3. **Service Provision:** The report highlights that services and facilities exist in various areas, indicating that the community of interest concept can extend beyond traditional boundaries. Existing provisions and contributions are noted.
4. **Clear Physical Boundaries:** The proposed extension's boundary lines are criticized for being arbitrary and failing to respect natural transition points between urban and rural areas.
5. **Insufficient Acreage:** The unsuitability of the proposed land for development is underscored, making it incompatible with the concept of overspill or outgrowth of the proposer's area.

6. Balance of Advantage: The Commissioners argue that there is no clear advantage or justification presented for the boundary change, potentially causing harm to residents of all three local authorities and not serving the public interest.

The report concludes that the proposed boundary change fails to meet the established criteria and lacks a compelling rationale. The Commissioners express disappointment with the inadequacy of Ramsey's justification and lack of a strategy if the areas are assimilated. The report emphasises the potential negative financial implications for affected residents and the absence of tangible benefits for any of the involved communities.

The Commissioners express their thanks to the Department and the Chair of the Inquiry for considering their views on this matter.

This document summarises the attached report on the potential impact on the landscape and on the individual property owners who will be affected by the changes proposed by Ramsey Town.

The Commissioners conclusion is that the proposal and the evidence provided by Ramsey does not justify the proposed boundary changes.



Garff District Commissioners

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9th August 2023

Dear [REDACTED]

Proposed Ramsey (Boundary Extension) Order 2023 – Submission for the attention of the Chair of the Inquiry

Introductory Comments

Garff District Commissioners have considered the report issued by Ramsey Town Commissioners as part of the documents issued with the Proposed Ramsey (Boundary Extension) Order 2023.

The Commissioners wish to submit the following comments which are related to the six Criteria as proposed by Professor Bates in 2004 and COMIN during the Tynwald debate on the extension of Douglas Town Boundary.

- Whilst responding in relation to these criteria, Garff District Commissioners wish to state that, in their opinion, these criteria are incomplete and hence somewhat unbalanced. It is the view of the Commissioners that the choice of the criteria made by COMIN has resulted in a process that has been calculated to favour the interests of urban authorities at the expense of individual ratepayers who dwell in rural areas that have very different needs and a very distinct sense of community from urban areas such as Ramsey Town.
- The financial implications for individual ratepayers in the communities of Maughold and Lezayre are potentially very significant. The Garff Board feels that without considering the financial implications there is danger that the outcome will be prejudiced against these residents and is not in the public interest.
- It is also the view of the Commissioners that the timing of Ramsey's application for expansion into both Maughold and Lezayre is premature and flawed as it is clearly detached and contradicts the findings being brought forward by Cabinet Office in the developing Area Plan for the North and West.
- It is also the view of the Commissioners that the methodology of the boundary line that will arbitrarily divide the rural landscape of Maughold is speculative and fails to be justified against the six criteria. The proposals are also in contradiction with the Planning Policy document "The Isle of Man Landscape Character Assessment" prepared by a leading landscape specialist (Chris Blanford Associates) in 2008 (see attached with this document).

- The policy it established was designed to inform the strategic methodologies of the Planning Authority as it prepared new area plans for the Island. In recent years it has also informed the Area Plan for the East and the currently draft Area Plan for the North and West. The boundaries put forward in this document are consistent with the current boundaries between Ramsey and the rural areas identified by the Town for appropriation.
- It is the view of the Commissioners that the most sensible approach would be to wait until the Area Plan for the North & West is published by Government so that its findings can inform the request for a change in boundary.
- For clarification it may be helpful to note that Garff Commissioners were formed in 2016 from the amalgamation of the three former local authorities of Maughold, Laxey, and Lonan. The population of Garff District is just under 5,000 in number.

The Six Criteria

Criteria (1): *That the promoter's area and the area/s sought are really one community*
& (2): *That there is community of interest in all or most public services, social agencies (for example schools, doctors' surgery/ies recreation areas and community halls and communal requirements of the future.*

Landscape & Sense of Community

1. The reference to "community" in this clause infers the presence of people, whether now or in the future.
2. In the area of the proposed boundary extension into Garff District, there are just two properties situated at the Crossags.
3. Otherwise, the land is extensive open countryside, mainly hill land grazed by sheep, fields, some wetland, and the forested areas (National Glens).
4. This land forms an integral part of dramatic countryside which is continuous, rising from the Crossags to the south-east and south through Cloughbane, Lhergy Frissell on to the slopes of North Barrule, its ridge to Clagh Ouyr, and beyond into the central uplands.
5. The whole of this area has a consistent landscape character that is very distinct from the urban streetscape of Ramsey Town.
6. In terms of the Crossags hamlet, the appropriation the large area of countryside that Ramsey propose on the basis that four remote properties at the Crossags (two in Maughold two in Lezayre) have the same character as the properties of the Town lacks the necessary credibility to satisfy the terms and intentions of Criteria (1).
7. The draft Area Plan for the North and West, initially identified two fields close to Crossags Barn and private Campsite for assessment as potential development land.
8. It should be noted that even these sites have been rejected in the Area Plan for the North and West-Draft Plan (Document 'EPD2 All Sites List, Cabinet Office, dated 24 June 2022 – link) <https://www.gov.im/media/1376843/epd2-all-sites-list-final.pdf>

9. It should also be noted that these fields are relatively isolated from Ramsey Town and could be termed sites that in development terms are remote and sporadic and not suitable as 'outgrowth' from established urban areas.

Accessibility to Public Amenity Areas

10. In terms of accessibility to amenity lands such as Cloughbane and Lhergy Frissel there is currently a narrow lane that exits at the Maughold/Ramsey Hairpin on the A2, but any upgrade/development of this access point would be clearly detrimental to the unique charm and character of the surrounding rural landscape: it is perfect for rural recreation in its current form.
11. In terms of the lands in this area, Ramsey state that access is taken to the afforested land directly from the Town, at Ballure Road, Cloughbane Walk, and the Maughold/Ramsey Hairpin.
12. This is a tenuous and partial assertion. Garff Commissioners note, however, that many people from both Ramsey Town, Maughold, Garff District, and from across the Island access these areas on footpaths from areas in rural Maughold such as Ballure and the Maughold/Ramsey Hairpin. These access points are remote from the urban Ramsey Town. There is also an access point from rural Lezayre.
13. These access points are traditional and extremely well used; it is doubtful that their current designation as being in rural Maughold and Lezayre affects the thinking of members of the public from who make use of them for recreational purposes.
14. There are currently no barriers or restrictions whatsoever on Ramsey residents entering or accessing the large areas of public land that are within the rural areas that are the subject of the boundary change proposal. Nothing in the experience of visitors to the countryside and woodland areas will change because of the proposals.

Service Provision

15. Whilst acknowledging the argument put by Ramsey Town Commissioners that a range of services are provided in the town that other communities access, it is worth noting that there are aspects of facility and provision in other areas such as Maughold and Garff that residents from elsewhere (including Ramsey) access: this includes businesses, beaches, and other facilities such as popular National Glens, etc.
16. The logical extension of this viewpoint could be extrapolated to suggest that Ramsey residents have a 'community of interest' with Braddan (as they at times access the Island's hospital, etc) and with Douglas (for the many larger businesses, services and facilities that are provided there).
17. It should be noted that all the northern local authorities including Ramsey pay a proportionate charge for services such as the Northern Swimming Pool and the northern Civic Amenity site in Lezayre.
18. In addition, it should also be noted that Central Government bodies and organisations fund and administer health and education services that are for the whole of the north and whole Island population.
19. Schooling is also provided in Maughold, and the rest of Garff as well as in Lezayre at Dhoon and Laxey Schools. There are also two private nursery providers in Garff.

20. In terms of housing need and infrastructure it is likely that only minimal development will be needed. The Draft Area Plan for the North has indicated that no significant additional development will be required in the north-east of the Island.
21. Garff Commissioners are experienced in providing infrastructure such as streetlighting, where required as well as refuse collection, etc. The Commissioners delivers services in more urban areas such as Laxey and Glen Mona as well as in the rural locations the Authority covers from Ballure in the north of the Sheading down to Groudle in the south.
22. Refuse collection at the Crossags (including for practicality Lezayre's two properties) is carried out by Garff. Their vehicles already service commercial properties in Ramsey and there is no additional refuse vehicle mileage caused by the remote rural nature of the properties.
23. In 2010 Maughold Commissioners did approach Ramsey Commissioners to investigate the costings for the ratepayer for Ramsey to provide the refuse service at the Crossags. The costings supplied by Ramsey for providing the service were several times more expensive than Garff's refuse contractor so the offer from Ramsey was not felt to be in the interest of ratepayers and was declined.

Environmental Projects in the Maughold Area

24. It is also interesting to note that the independent body, the Manx Wildlife Trust, have initiated and are undertaking a project in Claughbane Plantation and other rural areas of Maughold under the ownership of DEFA. It is MWT's intention to create spaces in these areas for the enjoyment of the people of the whole island, and the project is a collaboration between the Trust and the Department of Environment, Food, and Agriculture as is indicated in this extract from the MWT Annual Report for 2022:

"In June we had two big breakthroughs. The first was the long-awaited signing of the 99-year lease of Claughbane Plantation. A big thanks to our partners in DEFA who have put in so much effort to make this happen. We now have just two years to turn Claughbane Plantation and our existing adjacent reserve 'Crossags Coppice' into our flagship public engagement site 'MWT Hairpin Woodland Park'. To get this site fully running in two years will be a daunting task, but we have some wonderful partners in DEFA, Milntown, and Douglas Rotary Club to help us".

25. Garff District Commissioners have expressed themselves very willing to assist the MWT and the Department as they undertake this ongoing project. The Commissioners have undertaken many projects with DEFA in this area of Maughold and throughout Garff; they have also undertaken liaison, obtained advice, and completed other undertakings with the Trust itself. MWT are currently advising Garff Commissioners on environmental development of the Commissioners' Arboretum situated in Dhoon, Maughold.
26. Garff provides a range of services that are accessed by Island residents from outside of the Sheading such as seven play areas, schools, a camp site, commercial districts, churches, a football club, national glens, etc.
27. The various communities in Maughold share in the wider community across the whole Island (which of course also includes the unique & distinct community of Ramsey Town).

Conclusion on the applicability of Criteria (1) & (2)

The Commissioners believe that the proposals put forward by Ramsey fail to meet the terms and intentions of these criteria. In this sense there is no justification for a boundary change.

Criteria (3): *That the area sought is an overspill or outgrowth of the promoter's area.*

28. It is the view of the Commissioners that the wording of Criteria (3) demonstrates that it is intended to address cases where expansion is needed for built development.
29. As stated above, the Commissioners have noted that the areas of Maughold hill-land and countryside that Ramsey have expressed interest in appropriating are inconsistent with any development criteria: it is highly unlikely that the Town's built environment would be permitted to be extended into any of the areas of Maughold in which Ramsey have expressed interest.
30. Ramsey themselves state (at Section 4, on page 5 of their report submission dated December 2020) that, "The primary drivers for boundary extensions are the extension of the community through development and availability of development lands." They also agree with Garff Commissioners in their report that permission for development of any of the lands in Maughold is 'unlikely'.
31. Notwithstanding this, it is noted that Ramsey Town Commissioners have included hill and country land in Maughold that is unsuitable and inappropriate for development in their boundary change proposals.
32. The rural nature of the areas in the proposed boundary, and the continuation of a distinct rural landscape into the lands beyond the proposed boundary indicate that the areas are more compatible with inclusion in Maughold.
33. As the designations in the "Landscape Character Assessment Document" confirm the transition point from countryside to the built environment is very well demarcated at the current boundary line.

Conclusion on the applicability of Criteria (3)

The land is not even considered suitable for development by Ramsey themselves. The small cluster of remote rural dwellings at the Crossags cannot be considered as 'overspill' or 'outgrowth' as stated in the terms of Criteria (3). As with Criteria (1) & (2), it is difficult to find direct applicability or justification for the proposed boundary change in the terms and intentions of Criteria (3).

Criteria (4): *That, wherever possible, clear physical boundaries are followed.*

34. The proposed extension demarcation appears to follow the southern edge of the forested area of Claghbane and Lhergy Frissell, diverting, in the view of the Commissioners, randomly, sporadically, and partially, to include land around the Albert Tower, before turning south halfway along the Claghbane plantation boundary and west across fields, to provide a link with the top of Glen Auldyn. Garff Commissioners question whether these are clear physical boundaries that are of any significant merit or validity.

35. The current boundary is a clear and effective transition point as it stands between the townland of Ramsey and the rural landscape of Maughold: to move the transition line and divide the countryside would indeed provide an artificial boundary between townscape and countryside.
36. There is a suggestion in the report issued by Ramsey that the boundary extension should progress on the grounds that they own some land in the vicinity. The Commissioners know of no instances where ownership of land has had a bearing on boundary changes or demarcation.
37. The ownership of land bears no relation to boundary setting elsewhere and the suggestion has absolutely no relevance to the matters being considered.
38. It is the view of the Commissioners that the more natural boundary line between Ramsey Town and Garff District is at the current boundary line: this already provides the clearest physical boundary as required by the terms of Criteria (4).
39. The areas of Maughold have an entirely rural character, and it should also be noted that the properties in Glen Auldyn have a definite rural context rather than an urban town-like character.
40. "The Role of Landscape Character in Development" provides comment on the need to distinguish between the character of the rural and urban landscapes and the importance of preserving the transition between the two. The following comments are made regarding this aspect:

"3.3.3... Landscape character in and around settlements: New development in and around existing settlements may affect their distinctive landscape settings, including key approaches to the settlement, inward and outward views, woodland, trees, river corridors, and open spaces."

"3.4.2 Minor Roadworks: The character of rural roads and lanes is often an important component of local distinctiveness. Minor engineering works, such as junction improvements, traffic calming, road widening, easing of bends, kerbing, lighting, and signage can have an urbanising effect. The design of such works should respect existing landscape character and features and should avoid introducing new features such as boundary treatments which are alien to the area's character."

41. In terms of the process of setting the proposed boundary, Ramsey Commissioners advised Garff at the August 2022 meeting that the proposed boundary lines had been drawn up at the Town Hall by the former Town Clerk and the former Chair using an Ordnance Survey map. They advised that no professional consultancy research has been undertaken nor any cartographer, landscape specialist, etc, consulted in delineating the boundary they propose.
42. In respect of how the proposed boundary line was drawn up, the Commissioners would like to refer once more to the "Isle of Man Landscape Character Assessment". As stated above this document was devised as a technical aid to the development of future area plans and other strategic policy. An important function of this report was to identify "variations in physical, natural and cultural attributes and experiential characteristics that make one area distinctive from another..." (Section 1.3.3). It is interesting to note that the specialist consultants chose to classify the landscape of Ramsey Town very differently from the areas of Maughold and Lezayre which are under question. The Landscape specialists who authored the "Landscape Character Assessment" document came to a very different conclusion about the most effective and useful positioning of the boundary line to that of the former Town Clerk and Chair of Ramsey Commissioners.

43. Chris Blandford Associate's characterisation of the land in Maughold is termed as A1 and F5 whilst the areas of Lezayre are designated as A1, B2, F5, and F4. This whole report makes the case that each of the designated areas has a unique sense of character and has a distinct identity of its own. The landscape of Ramsey Town is designated as 'U' (for urban) and the description of its character (and the strategies that it recommends be implemented in the area) are notably different from those of the immediately surrounding rural landscape.
44. The compilation of the report would have been an ideal opportunity for CBA to propose boundary changes. Clearly the authors felt that any changes would be unnecessary to the intention of preserving both the urban landscape of Ramsey Town and the rural character of the Maughold lands.
45. The Commissioners also perceive several anomalies in the proposed boundary line which have perplexed the Commissioners and reinforce their view that the location of the proposed line is flawed. Two examples of these anomalies are the exclusion of two dwellings at the south end of Glen Auldyn that form part of the ribbon development. The exclusion of five dwellings at the Dhoor to the north-west of Ramsey Town when other dwellings in the immediate locality are included is also perplexing. There may well be good explanation that can be put forward by Ramsey in these matters, but the Commissioners have seen no justification thus far.

Conclusion on the applicability of Criteria (4)

The current boundary is the natural transition point and is the most appropriate to secure the distinct identity of the rural landscape of the lands in Maughold identified by Ramsey, particularly as they are undevelopable and could never form 'overspill' or 'outgrowth'.

The Commissioners believe that the proposals put forward by Ramsey fail to meet the terms and intentions of these criteria. In this sense there is no justification for a boundary change.

Criteria (5) *That there is insufficient acreage left for the development of the promoter's area within its borders and injury is suffered thereby.*

46. This criterion seeks to address cases where "there is insufficient acreage left for the development of the promoters' area within its borders..."
47. As is acknowledged by both Garff and Ramsey the proposed lands in Maughold are not suitable for development in the future (for housing, industrial or business use).
48. This is asserted to be the "primary driver" for boundary extensions.
49. The land is of such high landscape value that the intrusion of built facilities would be detrimental to the area and not accord with planning policy.
50. If any development were permitted, it would be sporadic, and the dwellings would remain detached from Ramsey Town.

Justification & the Need to Justify

51. At two meetings held with Ramsey Commissioners (in 2020 & in August 2022), Garff Commissioners queried if Ramsey required this land for any purpose. Ramsey were unable to offer any plan for future use of the land, whether for development, for additional amenity, or for any further recreation opportunities.

52. It was notable that their representatives were more secure, in referring to land in Lezayre each time a question was asked about their justification for applying to appropriate the lands in Maughold. The questions about the lands in Maughold were largely passed over.

Conclusion on the applicability of Criteria (5)

It is the view of the Commissioners that the terms and intentions of Criteria (5) are not applicable to the land into which Ramsey Town Commissioners seek to extend the Town's boundary: the land is accepted to be undevelopable and could not be used to provide any meaningful 'overspill' or 'outgrowth', etc.

Ramsey Town acknowledge themselves that it is unlikely that the planning authority would approve development of the golf course and any such action would result in the loss of valuable leisure and countryside amenity. Consequently, there is no justification that satisfies this criterion or any of the other five criteria.

The Commissioners believe that the proposals put forward by Ramsey fail to meet the terms and intentions of this criteria. In this sense there is no justification for a boundary change.

Criteria (6) *That the balance of advantage lies in the acceptance of the scheme, though it may be generally admitted that the area sought may be valuable in various ways to the local authority by whom they are now governed.*

53. As stated above, at the meeting held to discuss the proposals Ramsey Town Commissioners were unable to put forward any adequate or clear justification to Garff Commissioners for the acquisition of the land in Maughold.

54. Similarly, there was no adequate clarification provided of why the land is valuable to the Town Authority; and, perhaps more importantly, what benefits the transfer of the land would provide for Ramsey residents, Maughold residents, Lezayre residents or residents from across the Island.

55. It is the view of Garff Commissioners that on balance the proposed boundary change between Maughold and Ramsey would provide no benefit to the residents of all three local authorities.

56. It is therefore not in the Public Interest to pursue an action that will bring no advantage to ratepayers in Ramsey and Maughold, and no discernible gain for visitors from wider afield seeking to enjoy the open countryside and woodlands.

Conclusion on the applicability of Criteria (6)

The Commissioners believe that there is no 'balance of advantage' that would presume for 'acceptance of the scheme'.

The Commissioners believe that the proposals put forward by Ramsey fail to meet the terms and intentions of this criteria. In this sense there is no justification for a boundary change.

Concluding Remarks

57. A compelling, detailed strategic plan to justify the need for the expansion of the boundary into the surrounding Maughold countryside is absent from the proposals presented by Ramsey Town Commissioners.

58. No justification was given by Ramsey Town Commissioners at the meetings of the two Authorities.

59. If reasons were given, they are notably out-with the terms of the six criteria.
60. The proposed boundary drawn by the then Town Clerk and the then Chair of Commissioners is flawed and inappropriate; particularly when considered against the "Landscape Character Assessment" document authored by Chris Blandford Associates and accepted by the Planning Authority.
61. There is no indication in the demographic studies that any significant development will be required in or around Ramsey Town.
62. The proposals for the boundary change are completely detached from the Area Plan for the North and West. They do not correspond with the Area Plan and ignore the Area Plans linkage with other Government Strategic Policies regarding demographics and future need, etc.
63. In these circumstances, in which no compelling rationale has been provided, the proposals have left the Commissioners perplexed and puzzled as to Ramsey's motives. As the then Chief Minister said when discussing the six Criteria in Tynwald in 2004, "*A boundary extension should not be a means of altering the rate income and fiddling around with the way rates are set for people in that area*". The lack of compelling evidence in Ramsey's argument has led some to question if the acquisition of additional rate income (primarily from Glen Auldyn) has had a bearing on Ramsey's decision to bring forward the proposals. This suggestion is possibly incorrect of course and is likely to be determined as having no relevance. The fact remains however that, without the need for additional services in Glen Auldyn, Ramsey Town Commissioners will enjoy significant financial benefit from their proposed changes.
64. In considering the latter, Garff Commissioners wish it to be noted that due to the sparsity of the population in this part of Maughold, there are no significant financial implications for them as a local authority: there will be no noticeable effect on the Authority's rate income.
65. The rates for the residents of the few properties at the Crossags will have an impact on the individual property owners and may present them with new financial challenges. In return, they will receive no additional services as there is no requirement or wish for them in this rural location. Indeed, the provision of some services such as streetlighting would be detrimental to the character of the area.
66. In this respect the Commissioners believe that the proposals will effectively penalise the affected rural residents for the efficiencies and prudent financial strategies of their current local authorities.
67. Garff Commissioners note that there will be a much greater financial effect on Lezayre Commissioners as a local authority. This may have a destabilising consequence on that Authority and all ratepayers across the whole of the Parish.
68. Although Ramsey has failed to adequately justify the proposals Garff Commissioners acknowledge that they mean no harm to their neighbouring authorities and genuinely acknowledge that some of the lands in Lezayre are suitable for expansion. Notwithstanding this, in the way they have presented the proposals at the two meetings, Garff Commissioners perceive something of an element of self-importance, self-confidence, superiority, and arrogance towards their two neighbours. This has been a disappointing aspect of the way the proposals have been presented.

In closing the Commissioners advise that they believe the evidence provided by Ramsey is inadequate and fails to justify the need for the boundary change as proposed by the Town's Commissioners.

An Executive Summary is appended as precis of the above.

The Commissioners thank the Department and the Chair of the Inquiry for considering their views on this matter.



Garff Parish District Commissioners