

## RAMSEY TOWN COMMISSIONERS

Minutes brought into public by resolution of the Commission 18 August 2010

[ ~~PRIVATE~~ ]

A Special Private Meeting of the Ramsey Town Commissioners was held in Town Hall, Parliament Square, Ramsey, on Monday, 19<sup>th</sup> July, 2010, at 7.00 p.m.

**Present:** Cpt. N. H. Malpass, Mesdames, Mrs. S. P. Beattie, Mrs. E. M. Bruce and Mrs. E. Carlile and Messrs. Dr. A. J. Allinson, B. Beattie, K. A. Crowe, G. K. Quayle, R. Radcliffe, L. I. Singer and W. G. Young.

An apology for absence was received from Mr. K. B. Mayne.

The Town Clerk was in attendance.

### (2010/11:086) Ramsey Estuary Area of Special Scientific Interest

The Chairman opened the meeting and welcomed the Minister for Environment, Food and Agriculture, the Hon. J. Shimmin, M.H.K., who was accompanied by Dr. Richard Selman, Senior Biodiversity Officer, DEFA.

The Chairman explained that the meeting had been requested due to the concerns of the Commission, and of Town residents, about the designation of the Ramsey Estuary as an Area of Special Scientific Interest. The Commission was extremely concerned that the actions of the Department in designating the Ramsey Estuary as an ASSI were too heavy handed, had lacked the courtesy of consultation with the Commission, and were imposing a restriction of the freedom of current residents and future generations.

There are a lot of rumours and views circulating within the Town and the Chairman had asked that this initially meeting be held in private in order to discuss matters in an open and frank manner so that the Commission might gain a better understanding of the actions of the Department, however further public debate would be required at which no doubt many matters raised in the meeting would be raised publicly.

Amongst the concerns raised within the Town the following matters were highlighted:-

- The question of the discharge of gray water from the Leighany
- Discharge of chlorinated or treated water from the new swimming pool complex
- Discharge of water from the Mooragh Lake
- The view that "if it isn't broke, why fix it".

These were immediate concerns, the subject is a hot topic in the Town and there is no doubt that many other issues will be raised.



**Ramsey Town Commissioners – Special Board Meeting –  
19<sup>th</sup> July, 2010, Private Continued:**

**(2010/11:086) Ramsey Estuary Area of Special Scientific Interest Continued**

Minister Shimmin thanked the Commission for the invitation to meet and explained that the legislation related to ASSI's was akin to the provisions for Registered Buildings where initial registration precedes consultation so that persons potentially affected cannot undertake things which might damage the property or area before registration is completed. The movement towards environmental protection is gathering pace throughout the world and the Island is more and more in the spotlight in respect of its environmental credentials especially as it is one of only two European countries not yet signed up to the Rio Convention. The legislation and its application, is based purely on the science of the subject and not upon economic consideration or political will.

Minister Shimmin apologised for the manner in which the decision had been communicated explaining also that the delay in the announcement was due to his own wish to be assured that the designation would have a limited impact for the Town in the light of economic and regeneration activities. In order to allow for this delay the consultation period had been extended until October, beyond the statutory period, public briefings would be given but the Department's statutory duty is to protect and maintain the area, if confirmed, in its current condition. At the end of the consultation period the Department must apply, amend or rescind the ASSI, this process was expected to be concluded within the current year. There is a need to balance short term economic gain against long term environmental benefit.

Minister Shimmin explained that the salt marsh area was particularly special, the opportunity to consider a similar site in Peel had been missed, and the designation would mean now that any development could only be done in an appropriate manner. Discussions with the Minister for Infrastructure, responsible for harbour operations, had concluded that any future harbour development and the ASSI could be completed in harmony.

Mr. Radcliffe asked the Minister to comment on an allegation circulating widely amongst Town's people that Minister Gawne's decision to designate the Ramsey Estuary as an ASSI had been done to favour the proposals for a marina in Port St Mary, and Government was intent on stopping future development in Ramsey.

Mrs. Mary Bruce, TC, joined the meeting at 7:10 p.m.

Dr. Selman advised that the Department had a duty to apply the Wild Life Act, and the decision was not in his view politically influenced, at the end of the consultation process the Department would have to vary, rescind or confirm the designation. Areas similar to the environment of Ramsey Estuary also existed at Cornaa and Langness, already designated, however Ramsey remained the Island's only significant estuarine site.



**Ramsey Town Commissioners – Special Board Meeting –  
19<sup>th</sup> July, 2010, Private Continued:**

**(2010/11:086) Ramsey Estuary Area of Special Scientific Interest Continued**

Minister Shimmin advised that in respect of the impact on users, and in particular fishermen, the consent process would allow general consents to be granted, thereby avoiding red tape for users, the consultation process was ongoing and would include all users and identifiable land owners.

Members presented their initial views to the meeting:-

- Mr Singer questioned to need for any designation when the area had operated and developed quite satisfactorily over hundreds of years, what had changed to demand the action the Department.
- Mr Beattie highlighted that this was effectively a marina issue; he felt that development of the old harbour should be allowed but that the Poyll Dooey and surrounding areas have a lot to offer environmentally and should be protected. He was disappointed with the way in which the ASSI matter had progressed.
- Mr Quayle advised that the current options for a marina development included water retention at the Swing Bridge and asked whether the designation would permit such option to be progressed if desired. Dr Selman indicated that this proposal would be affected by the ASSI designation. Mr Quayle expressed the view that this would not be acceptable and that until a decision on any future marina development was made there should be no restriction placed upon the various options.
- Dr Allinson referred to the analogy to Registered Buildings and pointed out that the Town had a bitter history of such where despite registration being undertaken there was no money within Government to assist in the protection of such property, including property in Government ownership. He felt that the actions were punitive upon the Town and whilst acknowledging that the consideration might be science based, pointed out that the science is that which is current, this thinking could and most probably would change.

Minister Shimmin reiterated that the process is presently in the stage of consultation but stated also that the impact of any inner harbour marina proposals, i.e. from the Swing Bridge up river, would result in a loss of areas of mud flats. Minister Shimmin also acknowledged that there may be current events or actions which may have to be reviewed in the light of designation for example the application and cleaning off of anti-fouling on ships at the ship yard and within the harbour. It was noted that at present there is not known to be any effluent trap system capturing effluents from such operations at the Shipyard, this was identified as something which would have to be looked at by the Department.

- Mr Young commented that the harbour has a system of dealing with such arisings, the tide comes in and goes out, thereby effectively taking any such things out to sea. So long as the tidal flow is not impeded this system would work, impounding water would prevent leachate from being flushed out.



**Ramsey Town Commissioners – Special Board Meeting –  
19<sup>th</sup> July, 2010, Private Continued:**

**(2010/11:086) Ramsey Estuary Area of Special Scientific Interest Continued**

Dr Selman advised that the consent process operates on a case by case basis, there are usually no problems associated with consents for existing operations but that conditions may be applied to prevent damage to the area.

- The Chairman stated that he had a genuine concern that the proposals could be damaging for the Town, he could support the protection of wildlife but not at the expense of the Town and its residents.
- Mr Crowe stated that he would be happy to support a designation of the area above the stone bridge, but not the harbour area, the talk around the Town was that the action was intended “to stop the marina”.
- Mr Radcliffe raised the issue of protection of the area from river flow and questioned whether designation would impact upon current or future actions to maintain or improve the flow of the Sulby River in mitigation against predicted increases in rainfall. An increased risk of flooding upriver could result. Similarly would the designation impact upon the release of water from the Sulby Reservoir. Were decisions subject to policy changes in the event of future Ministers holding different views.

The Minister stated that environmental protection demanded a process of adaptation and mitigation, that if there was a need to allow the free flow of the river then this would be consented as being for the greater good. The main issues in respect of consent were things changing or being done differently, and this is where the impact of any marina proposals for the inner harbour would be an issue. Decisions are science based and not subject to political sway, the consent process would be professional officer lead.

Dr Selman advised that the process of consents would not incur any charge however they can be conditional, including being time bound, and that provision exists for the introduction of management agreements to assist parties to operate where they are subject to conditional consents.

- Mr Radcliffe stated that the river had changed dramatically since the 1940's, including re-alignment, the estuary is affected by many acts and is changing all the time.
- Mr Young stated that historically the river was known for salmon, but that work undertaken by the highways authority when he was in its employment, including dredging during the spawning season, had resulted in the loss of salmon to the river.
- Dr Allison asked whether designation would be accompanied by investment to enhance the area perhaps by the introduction of salmon spawn to reintroduce the species and enable its greater use by sport fishermen. Members noted that the salmon spawn facility is still operated in Laxey and that this presented an opportunity to enhance the river life and its interest to fishermen.



**Ramsey Town Commissioners – Special Board Meeting –  
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**(2010/11:086) Ramsey Estuary Area of Special Scientific Interest Continued**

Dr Selman advised that this was a possibility and that normally sport fishing and bait collection would be subject to a general consent.

- Mr Singer stated that he was concerned that the statement that the area was considered “worthy of designation” resulted from a blinkered scientific view without any concern for the viability of the town or any balance between economic and environmental issues. He was concerned regarding the economic gain and environmental balance equation that anyone in Government is actually considering the economic impact and the impact of those things which in future might not be allowed to continue, or opportunities which might be rejected, because of the designation. Mr Singer has experience of working with officers in the conservation field and is very concerned that some officers are very blinkered in their views. Mr Singer was concerned that private operations such as the Ship Yard and Mezeron may be prevented from developing their operations because of the designation, and this they may thus be influenced to move elsewhere, or to close, to the detriment of the Town.

Minister Shimmin commented that the economic aspect was something to be considered by the Commissioners and the Ramsey Regeneration Committee in respect of their responses to the consultation. The decisions of private companies were decisions which could only, and must, be taken by them alone.

- Mrs Carlile stated that in her opinion people were not being considered although they are also part of the animal kingdom. The Town sees the marina as a way to rejuvenate and bring visitors to it, the salt marsh does not bring shoppers to the Town, whatever happens wildlife will adapt and shift to suit itself.
- Mrs Bruce supported Mrs Carlile, stating that the ASSI will not attract tourists or economic activity, the Town has seen the benefits enjoyed by Douglas and Peel and deserves similar treatment.

Minister Shimmin reiterated the fact that if the current designation is validated at the end of the consultation process then this would have an impact on any marina proposals. In response to a question by Dr Allison the Minister confirmed that the Wildlife Division had been “wrong footed” by developments in Peel and Douglas, and that Ramsey had now been identified as the priority for designation.

- Mr Quayle stated that Ramsey has a history of lack of investment, Peel and Douglas have got their marina’s and now Ramsey is to be given mud and worms.
- Mrs Bruce asked what benefit there would be to designation, what environmental benefit would occur if designation of all or part was to be confirmed, and whether it would really make any difference environmentally if the designation was rescinded.



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**(2010/11:086) Ramsey Estuary Area of Special Scientific Interest Continued**

Dr Selman explained that the scientific view was that the ecology of the area existed as a whole, there was an active system in place and changes to management of the area could impact upon this.

- Mr Quayle iterated Mr Crowe's view that designation of the area upriver from the stone bridge was supportable, there was no argument against this; the harbour is intrinsic to Town life and its economy and must be allowed to be used to best meet the economic needs of the Town.

Mr Crowe left the meeting at 8:15pm.

After further discussion on the need for more information to be made available publically, and for other parties to be enjoined in the consultation it was agreed that a further private meeting should be held at Ramsey Town Hall at 7:00 p.m. on Monday 9<sup>th</sup> August 2010, to which the Commission could invite other parties including Captain Brew, representatives from the Ship Yard, Mezeron, Ramsey Steam Ship, Lezayre Parish Commissioners and the Ramsey Regeneration Committee. Dr Selman agreed to produce a schedule of potential general consents and frequently asked questions for discussion and agreement.

The Chairman thanked Minister Shimmin and Dr Selman for their attendance.

There being no further business the meeting closed at 8:35 p.m.



Chairman.

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