

**RAMSEY TOWN COMMISSIONERS
PETITION REPORT
PUBLIC OPEN SPACE PA16/00232/B**

Ramsey Town Commissioners are seeking the consent of the Department of Infrastructure under Section 25 of the Local Government Act 1985 to the acquisition of various sections of land at Phase 2 Royal Park, Ramsey, being public amenity space.

On 23rd May 2016, the Planning Committee approved the following planning application subject to the entering into of a legal agreement to for Public Open Space provision on the site.

PA No: 16/00232/B - Erection of a residential development of 81 dwellings with associated hard and soft landscaping and on-site infrastructure, Fields 131047 & 134069 Royal Park Phase 2 The Vullan Ramsey Isle of Man

The IOM Strategic Plan sets standards for affordable housing and public open space in new development. The open space standard is based on the adopted Department standard of a minimum of 3.2ha of open space per 1000 population (32 sq metres per person). This standard is further broken down into a requirement per person of:

- Formal (e.g. football pitches) 18sq. metres
- Children's (e.g. play grounds) 6sq. metres
- Amenity (e.g. Nature conservation areas/Glens) 8sq. metres

The Strategic Plan states that once the open space requirement has been established it is then necessary to determine how the open space will be provided. There are three possibilities: -

1. Provided on site.
2. Provide off site but adjacent or close to the development.
3. Provided by payment of a commuted sum to enable the Local Authority to provide the open space on behalf of the developer.

The development a Royal Park Phase 2 incorporates a significant area of public open space and the developer entered into a legally binding agreement, dated 8th August 2016, with the Department of Environment Food and Agriculture, the Department of Infrastructure, Ramsey Town Commissioners and other parties. Within this agreement, amongst other commitments, the Developer undertook to transfer the ownership of the public open space amenity lands included within the development to the Ramsey Town Commissioners in accordance with the approved plans and a schedule detailed within the planning conditions for the development.

In transferring the land, the developer is required to undertake site preparation to the layout approved within the planning consent.

The amenity areas are to be transferred to the Commission at nominal cost, with the developer meeting the Commissioners reasonable legal costs, thereafter ongoing maintenance would fall to the rate fund. The estate is being currently being developed and the various amenity areas will be transferred to the Commissioners as these works progress.

The land transfer requires the Commission to obtain the consent of the Department of Infrastructure under Section 25 of the Local Government Act 1985.

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Sections 25(3) and (4) of the Act require that: -

(3) Subject to subsection (4), a local authority shall —

(a) give public notice of any application for consent under subsection (2), stating particulars of the intended transactions and naming a place in its district where a plan of the land may be inspected at all reasonable hours, for a period of not less than 14 days before the application is made; and

(b) if so required by the relevant Department, cause a like notice to be published in a newspaper published and circulating in the Island.

(4) Where in any case it appears to the relevant Department appropriate to do so, it may dispense with compliance with the requirements of subsection (3)

The proposal is being advertised by the Commission in accordance with the provision of Section 25 (3)(a) of the Act, this has been undertaken by the placing of public notices at the town hall and on the towns other public notice boards, and by publication on the Commissioners webpage and Facebook Social Media account.

The amenity land comprises 4 plots of land which the developer will prepare prior to handing over the Commissioners, for nominal consideration, to be maintained as public open space. The plots are shown in the attached plan and will be transferred to the Commissions ownership having been landscaped by the developer in accordance with the planning consent.

4th February 2021.

T. P. Whiteway

Town Clerk and Chief Executive.