

From: [Joyce, Andrew](#) on behalf of [Johnstone, Andy \(CSO\)](#)
To: [Contributor 17](#)
Subject: RE: U72 Donkey Track Public Enquiry
Date: 04 October 2021 15:43:00

Dear Contributor 17

Many thanks indeed for kindly sending this additional information which is most helpful.

Apologies regarding the naming of the documents on the site. We now have to redact the majority of correspondence we receive before it is uploaded and it can occasionally lose context for this reason. We send unredacted copies of all the correspondence to the Inspector for his file.

Thanks very much and best wishes

Andrew

From: Contributor 17
Sent: 04 October 2021 13:22
To: Johnstone, Andy (CSO) <Andy.Johnstone@gov.im>
Subject: Re: U72 Donkey Track Public Enquiry

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Thank you Andrew.

In addition, and having read much but certainly not all the submissions as appear online (they are really quite difficult to follow in many cases-particularly as most are without titles) I note much weight being argued that the Donkey track is an Occupation Road on the 1868 Country Series map which is a matter I also commented on in my own submission.

In this regard I would refer the Inspector to another current DOI Highways matter, ref PER 331 - D51 Ballacannel, Easystane Order 2021, for closure of a section of this Highway maintainable at Public Expense.

<https://mail.google.com/mail/u/0?ui=2&ik=a82e5e442f&attid=0.1&permmsgid=msg-f:1710779989237986505&th=17bde9560b6074c9&view=att&disp=inline>

Research shows that the D51, which is mostly tarmaced, is used to access many house and agricultural land alike is similarly shown as an 'Occupation Road' on the County Series 1860 map. My point is that throughout my own experience, many years of research and enquiry as regards many of our Islands Highways (surfaced and unsurfaced) (and PROW's) I have not come across records of an historic nature (certainly not pre 1986) to enable any demonstration of the Department's, or its predecessors, to evidence when, why or how any given route came to be on the map showing all 'Highways Maintainable at Public Expense' as established as a legislative requirement under the Highways Act 1986.

Given the recorded complacency of the Department to the revisions of the legislation and ultimate provisions of the 1986 Act, it comes as no surprise to me as the then staffing levels and careers in Government Departments in practice had resulted, at that time in the

knowledge needed then existing internally so available at any time.
Please also confirm receipt of my further comment herein to my original submission.

Kind regards
Contributor 17

On Mon, 4 Oct 2021 at 12:04, Johnstone, Andy (CSO) <Andy.Johnstone@gov.im> wrote:

Dear Contributor 17

Thank you for your message and telephone call.

I'll forward your message to the Inspector this morning and seek his clarification on the points you raise in your message.

Many thanks

Andrew

From: [Contributor 17](#)

Sent: 04 October 2021 11:40

To: Johnstone, Andy (CSO) <Andy.Johnstone@gov.im>

Subject: U72 Donkey Track Public Enquiry

Caution: This email is from an external sender. Please take care before opening any attachments or following any links.

Hello Andy

I am responding to the email dated 15th September 2012 reference the above to confirm that it is my intention to attend the Public Enquiry and that I would take the opportunity to speak if it were possible?

I would like to add to my initial response if that is possible although the matter may well have been noted by the Inspector when attending for the site visit referred to in the Note for the appointed inspector. The matter I had overlooked relates to the St Judes end of this Public Highway and is the fact that for many years there has been in place a dropped concrete kerb adjoining the high road which clearly has been in situ for years as evidenced by its aged appearance etc..

I would also comment that in the Public Notice in the press to which I and many others responded, there are a total of three matters for which comment were invited but the Note as published suggests that the Enquiry relates to only the main issue of establishing that the route is a highway maintainable at the public expense rather than looking more widely if this is not established by the enquiry?

Finally, on the first page of the note under the heading DOI there seems to be some words missing in the NB section, words which could be important given the Inspector has highlighted as not being available, perhaps when it was expected to be received to the enquiry? Could you please clarify this aspect.

I await your response please.

Kind regards
Contributor 17

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RAAUE: S'preevaadjagh yn çhaghteraght post-I shoh chammah's coadanyn erbee currit marish as ta shoh coadit ec y leigh. Cha nhegin diu coipal ny cur eh da peiagh erbee elley ny ymmydey yn chooid t'ayn er aght erbee dyn kied leayr veih'n choyrtagh. Mannagh nee shiu yn enmyssagh kiarit jeh'n phost-I shoh, doll-shiu magh eh, my sailliu, as cur-shiu fys da'n choyrtagh cha leah as oddys shiu.

Cha nel kied currit da failleydagh ny jantagh erbee conaant y yannoo rish peiagh ny possan erbee lesh post-I er son Rheyynn ny Boayrd Slattysagh erbee jeh Reiltys Ellan Vannin dyn co-niartaghey scruit leayr veih Reireyder y Rheyynn ny Boayrd Slattysagh t'eh bentyn rish.