

GENERAL MEETING

The MINUTES of a GENERAL MEETING held in the Board Room, Town Hall, Derby Road, Peel on Tuesday 16th February 2010 at 7.00p.m.

Present Mr. R Gimbert (Chairman)
 Mr. E Beale
 Mr. D J Lace
 Mrs. C A Moughtin
 Mr. A Jones
 Mr. I Skidmore
 Mrs. T M Birkett
 Mr. R Harmer

Apologies Mrs. J O'Halloran

In attendance Mr. P G Leadley (Town Clerk)

Action

MINUTES	09/532	The Minutes of the meeting held on the 2 nd February 2010 were taken as read and confirmed.	
STREETLIGHTING	09/533	The Town Clerk referred to Minute 09/509 and confirmed that arrangements had been made with the Manx Electricity Authority to commence a trial run of switching off the town's streetlights from 2.30am with effect from Monday 22 nd February 2010. It was <i>AGREED</i> that the Police be advised of the situation.	PGL
OAK ROAD	09/534	The Town Clerk referred back to Minute 09/510 and indicated that provisional arrangements had been made for a meeting with Mr Bruce Hannay, Director of Highways and Mr Quirk MHK, Member of the Department. Unfortunately the proposed date was no longer possible and discussion ensued as to whether it would be of benefit for the Commissioners to meet with Mr Hannay's successor (following his impending retirement) and Mr Quirk. <i>AGREED</i>	Date required
FACTORY LANE	09/535	The Town Clerk referred back to Minute 09/513 and indicated that the Technical Officer, Mr T Quayle, had been in contact with Camada Limited, the developer to outline the Commissioners concerns that delays did not occur with the building works once the Road Closure Order expired on the 14 th May 2010.	RH

Mr Harmer indicated that he had received a letter from a Sarah Lowe who lived opposite and who had indicated concerns over the Planning Approval granted to Mr Morgan and Miss Corrin in which a right of way had been affected by the alteration to the stone wall. In addition scaffolding had been erected without permission of the land owner and Ms Lowe had sought the Commissioners support in opposing the matter with regard to her appeal against the planning approval. Members discussed the matter and indicated that if Ms Lowe obtained other residents support then the Commissioners would also be prepared to support her appeal against the planning decision. The Commissioners confirmed that a right of way should not be established across private land and the status quo should be maintained.

WESTERN
NEIGHBOURHOOD
POLICING TEAM

09/536 Members *NOTED* the receipt of a letter of thanks from Inspector Britton regarding his appointment to a new position at Police Headquarters.

SKATEBOARD PARK

09/537 The Chairman referred back to Minute 09/530 and indicated that the Technical Officer had provided initial costings of materials only to improve the skateboard park in the sum £1,700. It was envisaged the improvements would total between £2,500 and £3,000 which had been provided for in the revenue budget for 2010/2011.

Arising therefrom Mr Lace enquired as to why the skateboard park could not be developed on the Headlands field. It was *NOTED* that this would entail much more significant costs if the current location of the skateboard park was moved. The Chairman indicated that the upgrading of the skateboard park surface could be regarded as Phase 1 of a three year plan with the possible transfer of the skateboard park to the Headlands field as a longer term plan.

PA/09/521 ON
APPEAL HERITAGE
HOMES LIMITED

09/538 The Chairman referred to his notice of motion which recommended that the Board instigate a petition of doleance over the decision of the Minister of Department of Local Government and the Environment to accept the recommendation of the Independent Planning Inspector for the development of 43 dwellings

adjacent to Reayrt ny Keylley. Mrs Birkett seconded the motion and reserved her remarks.

All Members outlined their views on the notice of motion and cited the following grounds as being the main concern – namely the high legal costs that would be involved in submitting a petition of doleance to the Court with particular regard to the possible significant increase in legal costs if the petition failed. In this respect it was *NOTED* that Heritage Homes Limited would employ a Queens Counsel to defend the case. Members also outlined the view that in the future development of this site serious consideration should be given to discussions over possible planning gain.

Mr Harmer proposed an amendment to the motion which would seek legal opinion as to whether the matter be progressed at an estimated cost of between £3,000 and £5,000. The Chairman seconded the amendment and Members discussed it in some detail. By a majority it was *AGREED* to dismiss the amendment. Discussion ensued over the main motion for the instigation of a petition for doleance. Mr Gimbert argued in support of the petition as a last resort and was fully aware of the likely cost to the Town's ratepayer to pursue this course of action. The Chairman was concerned at the possible development of more than one thousand houses in the west which was deemed a target under the Strategic Plan for the Isle of Man. The Planning Inspector had indicated that the target was in fact a guide line and this was supported by the Minister for the Department of Local Government and the Environment. The Chairman indicated that the Planning Application with regard to the disposal of sewage was very good, but he expressed concern at treated effluent going through the school field via a drain. In addition there was the likelihood of an increase in the flood risk of the school field and argued that the need for sustainable development should be undertaken over a longer time span.

The matter was voted on and by a majority it was *AGREED* that the notice of motion be dismissed.

Members considered the response received from Peter Winstanley, Director of Drainage, dated 29th January 2010 regarding the concerns and questions raised by the Commissioners in respect of a proposed Sewage Treatment Works in Peel. In addition the Chairman tabled a copy of a letter from Mr Winstanley dated the 4th February 2010 addressed to Mr David Jones of Clay Head Road, Lonan who had also raised a number of concerns over the proposal.

Mr Alan Jones indicated that the ultimate objective to take untreated sewage out of Peel Bay was important and the Commissioners needed to focus on the direction to achieve this. It was *NOTED* however that the Department of Transport Drainage Division had deferred any possible development in Peel unless the Commissioners supported its original proposal for an open treatment works in a field at Ballaterson Farm alongside the former railway line. Mrs Birkett expressed her concern at the Department's original plans and was prepared to oppose them until satisfactory answers had been obtained. Mr Harmer indicated that he favoured the Department considering an extension of the pipeline from St Johns to Crosby to take the Western area's sewage to Meary Veg. In his opinion the additional pipeline would be more cost effective than the building of a new treatment plant. For such an option to be considered the Department would need to revert back to Tynwald for a change in policy which currently had been agreed as stand alone treatment plants being provided for the north and west of the Island. Mr Harmer indicated that an expansion of the Meary Veg plant could be achieved as there was sufficient capacity to take sewage from the west. Reference was made to the various reports and spreadsheets available at the Drainage Division offices at Meary Veg and it was *AGREED* that Mr Harmer arrange to visit Meary Veg to consider the various documents.

Reference was made to the proposal for Peel for an open sewage plant and concerns if a catastrophic failure occurred creating serious implication for the Town, its Marina and its marine environment and house property prices. Mr Beale was of the view that a properly designed and built plant could be acceptable and suggested that the Department should revisit its

previous submission over the quote for the plant to be covered and odour controlled. Mr Lace argued over the delays that had taken place and specifically referred to the visit to Northern Ireland when treatment works at Limavady and Carrickfergus had been inspected. In his opinion modern, properly operated plants would cause no adverse effect on the Town.

The Chairman indicated his disappointment that the answers supplied by Mr Winstanley with particular concern over the 2007 report and the use of best estimates on qualitative and quantitative assessments. The intransigence of the Department in pursuing a treatment plant in Peel without serious consideration of alternatives was not acceptable in the Chairman's view and he argued that the best option for Peel should be pursued.

In conclusion the Board supported the proposal that Mr Harmer visit Meary Veg and inspect the documentation available and report back to a future meeting of the Board.

BUS SERVICE REVIEW	09/540	Members <i>NOTED</i> receipt of the consultation document regarding the bus service network review. The Chairman indicated that he had received a letter from Mr J Lightfoot concerning the document and Mrs Birkett indicated her concerns with regard to the bus service to and from Nobles Hospital. It was <i>AGREED</i> that a meeting be arranged with Mr Kinrade of the Bus Company for Thursday 25 th February 2010 at 7.00pm.	Date arranged
ROAD TRAFFIC REGULATION ACT 1985	09/541	Members <i>NOTED</i> receipt of a draft Road Traffic Order revoking and removing a parking place at Westlands, Peel opposite number 4. <i>NOTED</i> .	
DOG CONTROL BYELAWS	09/542	The Town Clerk referred to a letter of response received from the Legislation and Policy Unit at the Department of the Local Government and the Environment concerning the proposed amendment to the Peel Dog Control Byelaws. As a result of the likely restructuring of Government it was noted that the proposed amendment to the Dog Control Act may be delayed. It was <i>AGREED</i> to write to the Department with a request that the amendments proposed by the Commissioners in 2009 be incorporated in a revised Dog Control Bye Law	PGL

for Peel.

RATES STATEMENT 09/543 Members *APPROVED* the draft Rates Budget Statement for 2010/2011 prepared by the Town Clerk which would now be copied and forward to the Treasury for inclusion in the Rate Demands to be issued by the Treasury from the 1st April 2010. Completed

PLANNING APPLICATIONS FOR COMMENT 09/544 The following planning applications had been submitted for comment:- Letter sent

PA/10/00080/B Installation of evacuated tube solar panel to property 3 Aspen Drive, Peel. *RECOMMENDED FOR APPROVAL*

PA/10/00092/B Proposed additional lock up garages, Heathfield Yard, Patrick Street, Peel *RECOMMENDED FOR APPROVAL*.

PA/10/00128/B Alteration and extension to dwelling house Bladon, 6 Peveril Avenue, Peel *RECOMMENDED FOR APPROVAL*.

PLANNING DECISIONS NOTIFIED 09/545 The following planning decisions had been notified by the Planning Committee:-

PA/09/02031/B Alterations and creation of dormer windows to dwelling house, 3 Mountain View, Peel for Mr & Mrs Kelvin Dawson. *APPROVED*.

PA/09/01960/B Erection of a first floor extension over garage, 4 Maple Avenue, Ballawattleworth Estate, Peel for Mr David Gifford. *APPROVED*.

PA/09/01959/B Installation of replacement windows to front and rear elevations, 17 Mona Street, Peel, for Ms Ariane Barua. *APPROVED*.

PA/09/02000/B Erection of a rear fence and amendments to front wall, 5 Lyndale Avenue, Peel for Mr Ian Simons. *APPROVED*.

PA/09/01586/R Part removal and alterations to existing wall, proposed dwelling Factory Lane, Peel, for Mr Lee Morgan and Miss Helen Corrin. *APPROVED*.

PA/09/01665/R Erection of a conservatory to rear elevation, 10 Ballagyr Park, Peel, for Mr Ian Andrew McLean. *REFUSED*.

PROPOSED DEVELOPMENT ORDER, COOIL ROAD, BRADDAN	09/545a	<p>Members considered a letter from Quinn Legal seeking comments with regard to the proposed Cooil Road Development Order. This order, if approved, would result in 20 hectares of agricultural land being zoned for development.</p> <p>At this stage members were unaware of the client represented by Quinn Legal.</p> <p>Comment was made at the likelihood of additional acreage being developed in and around the Douglas area and suggested that the provision of a business park in Peel should be favoured. At this stage it was <i>AGREED</i> to respond to Quinn Legal with the Commissioners view that development land should not centre solely on the eastern side of the Island and also asked who the client was that Quinn Legal represented.</p>	Letter sent
CHRISTMAS LIGHTS	09/546	<p>Upon enquiry from Mrs Jones at the House of Manannan it was <i>AGREED</i> that the Christmas Lights Ceremony for the switching on of the festive lights take place on Saturday 4th December 2010.</p>	
STREET TRADING LICENCE	09/547	<p>Consideration was given to a request from Mrs Alford on behalf of the Peel Secret Gardens. It was <i>AGREED</i> that a Street Traders licence be issued to Ballagawne Nurseries to sell plants from the Market Place over the weekend 10th and 11th July 2010.</p>	Licence issued
TRAVEL WATCH	09/548	<p>The Town Clerk indicated that the Annual General Meeting and the Public Meeting of Travel Watch Isle of Man would take place at the Villa Marina on Saturday, 28th March 2010. <i>NOTED</i>.</p>	
NOROVIRUS	09/549	<p>The Town Clerk referred to the issue of information leaflets and of posters from the Director of Public Health concerning Norovirus. <i>NOTED</i>.</p>	
RATING OBJECTION	09/550	<p>The Town Clerk referred to a rating objection submitted by Mrs Souther in respect of 7 Lake Lane, Peel. It was <i>AGREED</i> that the Commissioners register their opposition to the</p>	Letter sent

objection submitted by Mrs Souther who was disputing the rating assessment.

PEEL QUAY	09/551	Mrs Birkett referred to the electrical power boxes on the Quay which were in poor condition. It was <i>AGREED</i> to contact the Harbour Masters Office with a request that they be repaired on grounds of health and safety.	Request made
WARD LIBRARY	09/552	Mr Beale referred to a vehicle that appeared to park permanently in front of the Ward Library. The matter had been referred to the Traffic Warden and it was <i>AGREED</i> that Mr Wozniak be requested to contact the Police to deal with this matter as a Police traffic issue.	Vehicle moved
WHEELIE BINS	09/553	Mrs Moughtin referred to her previous complaint about wheelie bins being left seven days a week on pavements in certain areas of the town. It was now <i>AGREED</i> that steps be taken to have these bins removed from footway. It was noted that obstruction of pavement was a Police matter.	PGL
PROMENADE WALL	09/554	Mr Lace wished to extend his thanks to the Department of Transport staff following the commencement of work on the new Promenade wall and the replacement of the railings.	

This part of the meeting ended at 8.30pm.