

# GENERAL MEETING

The MINUTES of a GENERAL MEETING held in Town Hall, Derby Road, Peel on Tuesday 15<sup>th</sup> March 2011 at 7.00p.m.

Present	Mr. R Harmer (Chairman) Mrs. T M Birkett Mr. N Cushing Mr. E C Beale Mr. A Jones Mrs. C A Moughtin Mr. R M Gimbert
Apologies	Mr. D J Lace Mrs. J O'Halloran
In attendance	Mr. P G Leadley (Town Clerk) Miss P L Bampton (Finance Officer)

			Action
CHAIRMAN'S WELCOME	10/554	The Chairman welcomed everyone to the meeting and wished to congratulate Sergeant Gardner on his nomination for an Isle of Man Community Award.	
MINUTES	10/555	The Minutes of the meeting held on 1 <sup>st</sup> March 2011 were taken as read and <i>CONFIRMED</i> .	
REGENERATION SCHEME – WI-FI	10/556	Mr. Gimbert referred back to Minute 10/528 and indicated that he was awaiting additional information from a United Kingdom company together with further quotes as to possible alternative options for wi-fi provision in lower Peel. On receipt of the information it would be forwarded to Board Members. <i>NOTED</i>	RMG
MICHAEL STREET	10/557	The Town Clerk referred back to Minute 10/529 and indicated that the electricity power boxes in the vicinity of the Manx Electricity Authority Showroom would prevent the placement of a bench seat and a litter bin. As a result a litter bin would be located without a seat.	TQ
SNOW CODE	10/558	Mr. Gimbert referred back to Minute 10/531 and indicated that the Eastern Amenity Site had small grit spreaders that were pushed by an individual. It was <i>AGREED</i> to contact the Authority with regard to the costings of hand operated gritters.	PGL

MARKET PLACE DISC PARKING	10/559	Reference was made back to Minute 10/532 and Members noted receipt of letters from residents regarding the proposed changes to the disc parking provision in Market Place.
DOMAIN NAMES	10/560	The Town Clerk referred back to Minute 10/533 and indicated that the cost of the two domain names used by the Town Hall were £20 and £45 per annum. <i>NOTED</i>
STREET LIGHTING	10/561	The Town Clerk referred back to Minute 10/534 and tabled an article in Money Media regarding the trial run of an LED street light in Ramsey. The Town Clerk had subsequently spoken to the Ramsey Town Clerk and the Manx Electricity Authority and advised that with this relatively new type of street lighting the cost of initial provision of LED lights could be of concern notwithstanding the likelihood of lower maintenance costs. The Chairman indicated that until the LED technology had been proven that the Town should retain the existing type of lighting provision.
SEWAGE SPILL – REAYRT NY KEYLLEY ROUNDAABOUT	10/562	The Town Clerk referred back to Minute 10/535 and Members noted receipt of a response from the Water and Sewerage Authority which answered the seven questions raised by the Department over the sewage spill and sewerage matters for Peel in general. Members expressed concern over the final paragraph of the letter from Mr. Winstanley which suggested that the previous occasions of surcharging and flooding had been exacerbated by the connection of the previous Heritage Homes development into the foul system and that this connection had occurred when the Commissioners were responsible for overseeing the installation of the drainage infrastructure serving the development. It was noted that responsibility for sewage transferred to the then Department of Transport under the Sewerage Act 1999 and that the Department was responsible when the Ballawattleworth development commenced. It was noted that Members took exception to Mr. Winstanley’s final paragraph.

The Chairman indicated that a meeting would

be arranged to consider an overview of the sewerage provision in Peel at a meeting to be held on 11<sup>th</sup> April 2011.

PEEL CIVIC SUNDAY      10/563      Reference was made back to Minute 10/541 and Members took exception to the email response from Canon Godfrey over the provisional request for a Civic Sunday Service on 26<sup>th</sup> June 2011 at 11.00a.m. Canon Godfrey had indicated that whilst being prepared to discuss the Commissioners requirements there would be a Eucharistic service at 10.30a.m. The matter was discussed and Mr. Cushing suggested that during the current difficult economic times that consideration be given to cancelling the service. Both Mrs. Moughtin and Mrs. Birkett felt that it was the one day in the year when it was appropriate for the Town to celebrate with a Civic Service. Mr. Jones referred in particular to Canon Godfrey's response and pointed out that it was incorrect in that the reference to a non communion Service did not refer just to St. Stephen's Day on 26<sup>th</sup> December but a subsequent service held more recently when communion was not served. PGL

After discussion it was *AGREED* to consider alternative options including the possibility of a service in July at the Methodist Chapel. It was *AGREED* that a response be sent to Canon Godfrey and copied to the Bishop indicating regret at the Canon's attitude over this matter.

STREET      TRADERS      10/564      Reference was made back to Minute 10/544 and a further letter was considered from Mr. Tim Knighton of 12 Douglas Street, Peel who had supplied additional information in support of his application for a street traders licence which had been refused at the previous meeting. Mr. Knighton had indicated that he only intended to sell fresh mackerel in a variety of ways and that it would not compete with other traders. In addition Mr. Knighton was prepared to take the opportunity to promote Peel with his business venture and also link into the Queen Elizabeth 11 School to promote healthy eating and that fish was a sustainable food source. After discussion it was *AGREED* to request Mr. Knighton attend the next meeting to discuss his street trading LICENCE

licence request in greater detail.

PEEL MEDICAL 10/565  
CENTRE

The Town Clerk referred back to Minute 10/550 and reported that the Department of Infrastructure would place additional signage in Albany Road relating to the location of the new medical centre.

ROAD TRAFFIC 10/566  
REGULATION ACT 1985

Members noted receipt of a draft Road Traffic Regulation Act regarding the implementation of a no waiting restriction on a section of Albany Close, Peel. Comment was made that paragraph four also referred to Lake Lane and it was *AGREED* to contact the Department with a query as to the accuracy of the draft Order.

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A further draft designating a reserved parking place in front of numbers 56 to 83 Rheast Bridson (Westlands) was noted and approved.

PA 10/01123/C and PA 10/567  
10/01124/B ON APPEAL

Mr. Cushing referred back to Minute 10/530 regarding the Heritage Homes Limited appeal with regard to the residential development of forty three dwellings on land adjacent to Reayrt ny Keylley. In particular Mr. Cushing referred to the comment made at appeal by Mr. Wade of the Water and Sewerage Authority in which he had indicated that an invitation had been extended to the Commissioners to inspect the computer model for the revised disposal arrangements for treated effluent into the main sewer. This was not the case. It was *AGREED* that a letter be sent to Mr. Self the Appeal Inspector indicating that it would appear Mr. Wade had inadvertently mislead the appeal hearing with his remarks and that these remarks be struck out in his consideration of the appeal. It was further *AGREED* that the letter be copied to the Chairman of the Water and Sewerage Authority and the Minister for the Department of Infrastructure.

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MICHAEL STREET 10/568

The Chairman referred to the Department of Infrastructure's actions in reverting the Saturday closure times to vehicles to the previous split times. This had occurred as the trial period had now expired and it was noted that the Department would consider all views submitted with regard to the extended Saturday closure to vehicles. The Chairman

PGL

in particular expressed his disappointment that residents were now becoming adjusted to the revised closure time and that unnecessary confusion would arise due to the change back to the previous closure times. In addition no warning had been given to the Commissioners of the proposed actions by the Department the previous weekend. It was noted that the Commissioners would liaise with the Department over the permanent resolution of this issue. It was agreed to write to the Department with these concerns.

ST. PETER'S CHURCH 10/569

Reference was made to the recent bout of vandalism in St. Peters Church grounds when a number of shrubs were damaged. Mr. Jones indicated that the Police had been advised of complaints regarding a group of youths gathering in the Market Place and it was noted that the matter was being investigated by the Police.

PLANNING APPLICATIONS COMMENT FOR 10/570

Consideration was given to the following planning applications:-

Letter sent

PA 11/00252/B Additional use of apartment as self catering holidays accommodation, Captain Cannon's House, Apartment 3, 7 Michael Street, Peel. Members objected to this property being used for holiday accommodation as it reduced the availability of properties for residential use. *RECOMMENDED FOR REFUSAL.*

PA 11/00196/B Change of Use from Medical Centre to a Police Station, Peel Medical Centre, Derby Road, Peel. Notification had been received at the Planning Office for an alternative location plan. *RECOMMENDED FOR APPROVAL.*

PA 10/1084/B APPEAL ON 10/571

Members noted receipt of the decision of the Appeal Inspector with regard to the Appeal for the erection of two dwellings on a plot adjacent to 4 Ballaquane Road, Peel. The Minister for Infrastructure concurred with the Appeal Inspector's conclusions and accepted the recommendation that the Appeal be dismissed.

PA 08/1260/B SHOPRITE STORE	10/572	Members noted receipt of an additional drawing and letter from the Planning Office under which delegated authority the Senior Planning Officer had determined that the implementation of the landscaping scheme and amended car park layout would satisfy conditions six and seven of the previously granted approval. <i>NOTED</i>	
PARISH WALK	10/573	Consideration was given to a request from Manx Harriers regarding the use of the facility of the Town Hall for the purpose of the Parish Walk on 25 <sup>th</sup> June 2011. Members <i>AGREED</i> to the request as in previous years.	Letter sent
PUBLIC CATALOGUE FOUNDATION	10/574	Consideration was given to a request from the Public Catalogue Foundation based in Covent Garden, London regarding an agreement for the cataloguing of the Commissioners works of art at the Town Hall and Ward Library.	Letter sent
		The matter was discussed and some concern was voiced over the agreement granting image rights to the Foundation. After deliberation it was <i>AGREED</i> to <i>REFUSE</i> the request unless the Foundation was prepared to amend its image rights clause.	
PUBLIC HEALTH (AMENDMENT) BILL 2011	10/575	Consideration was given to a draft Bill promoted by the Department of Environment Food and Agriculture. Mr. Cushing indicated that in principle he agreed with the general views of the Bill although he expressed concern at clause 7 section 64 which enabled the Department to use land occupied by the Department as an unlicensed waste disposal site. This clause made only reference to liaison with the Water and Sewerage Authority. Mr Cushing expressed his concern that this meant that the Department of Infrastructure could use any of its facilities to store waste without any reference to the relevant local authority. Mr. Jones indicated that other legislation impacted on the storage of waste including medical waste. Comment was also made over clause 51n which permitted the Department to make further provision by way of regulations relating to the discharge of health measure orders including the type and manner of investigation and liability for costs and compensation. It was suggested that further clarification was needed	

with regard to compensation provisions. Reference was also made to section 62a which enabled the Department to determine charges for waste disposal licences and in that respect Mr. Gimbert enquired as to who would oversee the Department to ensure charges were appropriate. Mr. Gimbert also referred to section 64 and expressed concern at the possible use of Department's land for waste disposal to dispose of bottom ash.

The Chairman agreed that the matter be deferred to the next meeting of the Board for further consideration prior to a response.

REVIEW OF ON AND 10/576  
OFF STREET PARKING

Reference was made to a consultation exercise regarding on and off street parking issues. It was noted that Mr. Crookall, MHK had been requested by Minister Gawne to lead a working group looking at various issues on the Island. Comment was made that the increase in parking restrictions was not effective if enforcement was not also pursued. Mr. Cushing referred to the survey issued by the Department and suggested that the questions were unclear and somewhat ambiguous. The Chairman indicated that he was concerned as the Department had already undertaken to provide more on street parking in Peel together with consideration of a multi storey facility. Mr. Gimbert indicated that the existing free spaces within the Town should be maintained and that pay and display should only be considered if additional new parking was provided. Reference was also made to the parking of motorhomes/caravans which should be encouraged into commercial and off road areas.

CONTROL OF 10/577  
EMPLOYMENT BILL  
2011

Consideration was given to a consultation document issued by the Department of Economic Development and Mr. Jones indicated that the Bill proposed the tightening up of existing regulations and loosening of others. Comment was made that there appeared to be a number of anomalies in the current employment legislation with particular regard to immigrants. It was suggested that job descriptions for particular posts could be tailored to individuals and that UK candidates could be cherry picked when required for any given post. Mr. Gimbert also suggested that

teachers should be classified as not exempt but that one work permit should be able to apply within the education system if a teacher moved from one post to another. The Chairman indicated that the Bill required more flexibility and that in conclusion Members should submit comments to the Town Clerk for submission to the Department.

GARDEN WASTE 10/578  
COLLECTION SERVICE

Consideration was given to an initial request from a Mr. Merlin Swain who wished to establish a new business collecting garden waste from the kerbside. It was noted that the business model proposed by Mr. Swain involved the issue of a red 240 litre wheelie bin limited to garden waste which would be collected from the kerbside during the months May to October. A charge would be made for the service either payable monthly or as a one off seasonal payment. The matter was considered and whilst in principle Members had no particular objection to the proposal some concern was voiced over the possible loss of business at the Western Civic Amenity Site. Of more concern was the possibility that red wheelie bins would be left on the pavement and could cause blockages. It was also suggested that Government favoured composting and this business proposal was contrary to that initiative. However Mr. Gimbert indicated that if the waste eventually ended up at Ballaneven then it would be composted. In conclusion Mr. Gimbert indicated that there may be a market for this service which would result in less waste going to the Western Civic Amenity Site which in turn could involve savings.

Email  
sent

In conclusion the Board *AGREED* that it had no objection in principle to the proposal on the basis that pavements were not blocked and that the applicant carried suitable public liability insurance.

BALLAWATTLEWORTH 10/579  
ESTATE

The Town Clerk referred to a letter received from the Department of Infrastructure regarding the traffic calming measures at Ballawattleworth Estate. It was noted that the Department was currently awaiting delivery of the appropriate signage which would be installed as soon as possible upon receipt.

FLAG DAY	10/580	Consideration was given to a request from the Chairman to the Roy Castle Lung Cancer Foundation which wished to hold a charity street collection in Michael Street on 17 <sup>th</sup> June 2011 from 9.00a.m. to 12.00p.m. <i>AGREED</i>	Letter sent
REAYRT NY CRONK – STREET LIGHTING SCHEME	10/581	The Town Clerk tabled a plan prepared by the Manx Electricity Authority on behalf of Heritage Homes Limited with regard to the proposed layout of 15 street lighting columns under Phase 2 of the Reayrt ny Cronk development. Comment was made that the request to approve the scheme was somewhat academic as the columns were already in place. At this stage it was <i>AGREED</i> to approve the request and indicated to the developer that future public lighting schemes should be submitted prior to installation and that it be suggested that consideration be given to LED street lights. Mr. Cushing referred to the plan and suggested that an extra column maybe of benefit in the car park area.	PGL
ROAD TRAFFIC AND HIGHWAYS (MISCELLANEOUS AMENDMENTS) BILL 2011	10/582	Mr. Cushing referred to the Road Traffic and Highways (Miscellaneous Amendments) Bill and indicated that the Commissioners response made in January 2011 to the Department had highlighted five areas of concern. Mr. Cushing indicated that the Bill had now had its first reading in the House of Keys and that the explanatory notes attached to the Bill contained no reference from Minister Gawne to the various concerns raised under the consultation exercise. It was Mr. Cushing’s view that the legitimate concerns of the Commissioners and residents had been completely ignored by the Department with particular concern to the wide ranging powers that would be offered to the Department of Infrastructure if the Bill became law. In conclusion Mr. Cushing proposed that the Commissioners submission be re-submitted directly to Minister Gawne, that Mr. Crookall, MHK be requested to oppose the Bill and that all Members of the House of Keys be advised of the Commissioners concerns. <i>AGREED</i>	
ISLE OF MAN STRATEGIC PLAN	10/583	The Town Clerk referred to previous discussions over the Isle of Man Strategic Plan and indicated that a response had now	PGL

been received from the Director of Planning and Building Control dated 14<sup>th</sup> March 2011. Mr. McCauley the Director of Planning had indicated that the target of 1000 dwellings in the West for the period 2001 to 2016 was close to being reached. He indicated that current projections were expected to increase the overall figure to 1029 properties. *NOTED*

Arising therefrom Mrs. Birkett referred to advertising literature issued by Heritage Homes Limited which referred to a new mews style housing development “near to the Town centre”. It was *AGREED* to make enquiries as to where this proposed development was located.

Reference was also made to the replanting of the cherry trees in the Ballawattleworth Estate which had been promised by the company during the planting season November to March. It was *AGREED* that the matter be referred to Mr. McLoughlin accordingly.

HIRE OF DECK CHAIRS 10/584

The Town Clerk updated Members on the current position regarding the proposal to purchase a number of deck chairs for hire on Peel beach. It was confirmed that Mrs. Marianne Brew from the Promenade Kiosk would run the scheme incorporating an honesty box and collecting the deck chairs at the end of the day. It was noted that the matter would operate on a trial basis during the summer period.

FISH YARD BROOGHS 10/585

Reference was made to the proliferation of weeds on the brooghs at the back of the fish yard. It was *AGREED* to request the Fisheries Department, owner of the brooghs to apply suitable weed killer.

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OAK ROAD 10/586

Reference was made to the location of the bus stop at the entrance to Oak Road and it was suggested that it was in the wrong location as it presently blocked traffic when a bus stopped. It was *AGREED* to refer the matter to the bus company accordingly. Reference was also made to the litter bin at this location which had disappeared. It was *AGREED* to investigate the matter.

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This part of the meeting ended at 8.35p.m.

