

# GENERAL MEETING

The MINUTES of a GENERAL MEETING held in the Board Room, Town Hall, Derby Road, Peel on Tuesday 3<sup>rd</sup> November 2009 at 7.00p.m.

Present                    Mr. R Gimbert (Chairman)  
                                 Mrs. T M Birkett  
                                 Mr. E Beale  
                                 Mr. D J Lace  
                                 Mrs. C A Moughtin  
                                 Mr. A Jones  
                                 Mr. I Skidmore  
                                 Mrs. J O'Halloran

In attendance            Mr. P G Leadley (Town Clerk)

Action

CHAIRMAN'S WELCOME	09/376	The Chairman welcomed the Press and public to the first meeting of November and indicated that he had attended the Lezayre Civic Service and also referred to the recent public Requisition Meeting held on 29 <sup>th</sup> October 2009 which had been well attended by Members of the public.
MINUTES	09/377	The Minutes of the meeting held on 20 <sup>th</sup> October 2009 were approved subject to an amendment by Mr. Jones in respect of Minute 09/371 where it is was <i>AGREED</i> that the words "had emanated from the Chairman" be deleted and the words "had been given out to the public" were substituted.
CHRISTMAS ARRANGEMENTS	09/380	The Town Clerk referred back to Minute 09/356 and indicated that confirmation had been received that a Pantomime characters from Peel Pantaloons would be present during the switching on ceremony for the Christmas lights on 28 <sup>th</sup> November 2009 at 4.30p.m.  Arising therefrom the Chairman indicated that due to the need to address savings he had decided that a Commissioners Christmas card would not be issued this year.
BUS SERVICE REVIEW	09/381	The Town Clerk referred back to Minute 09/359 and reported that the review would be available early in the new year and it was <i>AGREED</i> that a date be arranged at that time with Mr. Kinrade.

SPEED LIMIT – OAK ROAD	09/382	<p>The Town Clerk referred back to Minute 09/361 and indicated that the Department was in the process of giving further consideration to the introduction of a 20mph speed limit on Oak Road and if approved would be instigated in the new year.</p> <p>Arising therefrom reference was made to the Peel Traffic Plan and it was noted that a further public meeting for residents and the Town’s retailer was required. It was <i>AGREED</i> that a date be arranged in due course for such a public meeting.</p>
TESCO DEVELOPMENT	09/383	<p>The Town Clerk referred back to Minute 09/372 regarding the proposed Tesco development in Douglas and it was <i>AGREED</i> to meet with Mr. Bradley, Chairman of the Retailers Committee of the Chamber of Commerce on Wednesday 18<sup>th</sup> November 2009 at 7.00p.m. to discuss the development.</p>
BMX TRACK	09/384	<p>The Chairman referred back to Minute 09/374 and indicated that two Members were required to sit on the BMX/Skateboard sub-committee. It was <i>AGREED</i> that Mr. Jones and the Chairman join this sub-committee.</p>
LEECE MUSEUM	09/385	<p>Mr. Lace referred back to Minute 09/355 and requested that initial design drawings be obtained for the possible provision of an additional mezzanine floor at the Leece Museum.</p>
REGENERATION SCHEME	09/386	<p>Reference was made back to Minute 09/358 and it was noted that Mrs. O’Halloran and Mr. Skidmore had been appointed to the Regeneration Committee as the Commissioners representatives.</p>
PROPOSED SEWAGE TREATMENT WORKS	09/387	<p>Consideration was given to a Notice of Motion signed by Mr. Lace requesting that the Commissioners indicate its support in principle to the Department of Transport taking further steps to obtain an Environmental Impact Assessment Study with regard to a proposed new sewage treatment plant to be located within the Town boundary of Peel. The Motion was seconded by Mr. Beale and a lengthy discussion ensued over the case for support to the Department and opposed to the Motion. After Members had made their comments the Chairman requested the Town Clerk to read out a number of letters from the Manx Fish Producers Organisation, Moores Kipper Curers, Deveraus Kipper Curers, Davison</p>

Ice Cream Manufacturer, Mr. Lancaster from Just Wood and Isle of Man Seafoods Products Limited together with a letter from Mr. Jones, property developer. Upon enquiry from Mr. Jones as to a point of order the Chairman indicated that these letters had only been received that day and it was appropriate for them to be read out at this juncture.

After the Chairman had made his remarks on the matter Mr. Lace summed up his Notice of Motion which was then put to the vote. By a show of hands Messrs Lace, Jones, Moughtin and Beale indicated their support for the Motion and Messrs. Gimbert, O'Halloran, Birkett and Skidmore indicated their opposition to the Motion. With the vote being four in favour and four against the Chairman exercised his casting vote as provided in Standing Orders and the Motion was therefore defeated.

Discussion ensued over a letter submitted by Mr. Jones addressed to Mr. Gimbert as Chairman in which he expressed his concern over his belief that misinformation and rumour was in evidence around the Town with regard to the proposed sewage works scheme. In particular Mr. Jones was concerned at the need for matters discussed "In Committee" to remain private. In conclusion Mr. Jones indicated that the Board needed to act as a body corporate and adhere to the principles of good governance. The Chairman responded by indicating that he would reply in writing to Mr. Jones after the meeting but did not wish to make any comment at the present time. Mrs. Birkett indicated her deep concern that the matter had been brought to a Commissioners meeting by Mr. Jones and in response Mr. Jones indicated that he was concerned at the process of how the Commissioners conducted its private business.

Consideration was given to a request signed by Messrs. Jones, Moughtin and Lace that an inquiry be held into the release of confidential information to the public and after discussion it was *AGREED* unanimously that this be approved and processed. The Town Clerk indicated that he had would contact the Department of Local Government and the Environment to set up the necessary inquiry.

CRIMINAL  
JUSTICE BILL

09/388

Consideration was given to a Consultation document relating to a Criminal Justice (Miscellaneous) Bill 2009. Mrs. Birkett indicated that she had concerns over adopting best practice from other jurisdictions and queried which jurisdictions this referred to. It was her opinion that the Isle of Man should follow its own best practice and not rely on other jurisdictions. Concern was also voiced over the proposal that Police could establish the identity of persons other than at a Police Station. The Chairman referred to clause 6.4 which would enable a Police Officer to request a young person to make a particular purchase of an age restricted product in order to check compliance with the law. This was suggested as being possible entrapment. The Chairman referred to clause 1.7 regarding conditional cautions and raised queries as to possible time frame and who an appeal could be made to if deemed necessary. Other concerns related to children being arrested for serious arrestable offences other than homicide and circumstances regarding video recordings under clause 1.11. Other concerns related to clause 2.3 relating to drunkenness on premises and as to specifically what differences from such premises should be specified under the definition within the vicinity of licensed premises. Reference was made to clause 3.2 concerning sexual offences against children and the proposal that young persons under the age of sixteen could be treated as adult in terms of sentencing. This was deemed to be draconian and there should be reference to proportionate sentences if consensual sex took place. In conclusion it was *AGREED* that Members submit their detailed views on the draft Bill to the Town Clerk for onward submission to the Department of Home Affairs.

DRAFT  
PLANNING  
POLICY  
STATEMENTS

09/389

It was *AGREED* that this matter be adjourned to the next meeting scheduled for Tuesday 17<sup>th</sup> November 2009 for detailed consideration.

ROAD TRAFFIC  
REGULATION  
ACT 1985

09/390

Members noted receipt of three Orders issued by the Department of Transport relating to a 20mph speed limit at school entrances, a temporary prohibition of through traffic for Castle Street and a temporary suspension of parking places on Shore Road and East Quay. *NOTED*

HERITAGE  
INITIATIVE

09/391

Consideration was given to a letter from the Honourable Mr. Anderson, MHK Minister for the Department of Transport in which a proposal had been suggested with regard to a joint heritage initiative for Peel. The initiative had emanated from Mr. Harrison Quirk in which he suggested that a commemorative plaque be placed in the vicinity of the harbour area advising of the historical significance to King Olaf in 1228. In addition Mr. Quirk had also suggested name plates to mark the ancient lanes in the vicinity of Peel. The Chairman indicated that under the current economic climate this may be difficult to finance and after discussion it was *AGREED* that it be included as a possible application for funding from the Regeneration Scheme for Peel. Mrs. Birkett suggested that Peel Heritage Trust may also wish to assist financially.

MANX FLOWER  
FESTIVAL 2010

09/392

Consideration was given to a letter from Mrs. Collins regarding the Manx Flower Festival scheduled for 4<sup>th</sup> – 10<sup>th</sup> July 2010. Mrs. Collins had enquired whether the Commissioners would be prepared to assist in the flower display which would take place in the Peel Methodist Church during the periods. Mrs. Moughtin suggested that the Commissioners should support this commendable project and felt that the Commissioners might be able to sponsor a specific flower arrangement. *AGREED*

PLANNING  
APPLICATIONS  
FOR COMMENT

09/393

The following planning applications were considered for comment as follows:-

PA 09/01679/B Erection of an extension to rear elevation of dwelling house, 7 Lyndale Avenue, Peel. *RECOMMENDED FOR APPROVAL.*

PA 09/01684/B Refurbishment of existing rear outbuilding to form an apartment, 8 Michael Street, Peel. *RECOMMENDED FOR APPROVAL.*

PA 09/01685/B Alterations and conversion to a duplex apartment, store/warehouse to rear of 8 Michael Street, Peel. *RECOMMENDED FOR APPROVAL.*

PA 09/01690/B Installation of a replacement front door, 21 Market Street, Peel. *RECOMMENDED FOR APPROVAL.*

PA 09/01694/B Installation of replacement windows to front elevation, 39 Michael Street, Peel. *RECOMMENDED FOR APPROVAL.*

PA 09/01640/B Single storey extension to replace existing kitchen and dining room, 22 Market Street, Peel. *RECOMMENDED FOR APPROVAL.*

PA 09/01664/B Extension and alterations, 21 West View, Peel. *RECOMMENDED FOR APPROVAL.*

PA 09/01379/D Erection of two advertising signs, The Links Residential Development, Rheast Lane, Peel. *RECOMMENDED FOR APPROVAL.*

PA 09/01665/B Erection of conservatory, 10 Ballagyr Park, Peel. *RECOMMENDED FOR APPROVAL.*

PLANNING  
DECISIONS  
NOTIFIED

09/394

The following decisions had been notified by the Planning Committee as follows:-

PA 09/01428/B Demolition of existing and rebuilding of replacement front wall of dwelling, 22 Patrick Street, Peel for Mrs. Vorrey Manson. *APPROVED.*

PA 09/01301/B Alterations and erection of extension to dwelling house, 34 Ballellis, Ballawattleworth Estate, Peel for Miss Lucy McDowell and Mr. Barry Thompson. *APPROVED*

PA 09/00726/D Erection of two notice boards St. Germans Cathedral, Derby Road, Peel for Reverend Canon Nigel P Godfrey. *APPROVED.*

PA 09/00725/CON Registered Building consent for internal alterations and erections of external notice boards, St. Germans Cathedral, Derby Road, Peel for Reverend Canon Nigel P Godfrey. *APPROVED.*

PA 09/01366/B Removal of existing dormer, 10 Close Quane, Peel for Mr. Eric Delaney. *APPROVED.*

PA 09/01466/B Erection of a conservatory to rear elevation, Marrinagh, Derby Road, Peel for Kevin and Patricia Kelly. *APPROVED.*

PA 09/01448/B Alterations and erection of replacement extension to dwelling house, Perwick, 20 Peveril Road, Peel for Mr. Ronald Kelly. *REFUSED.*

PA 09/01362/B Installation of a replacement front door, 46 Michael Street, Peel for Mrs. Carol Ollett. *REFUSED.*

PA 09/0624/B ON APPEAL 09/395 The Town Clerk referred to an Appeal by Rappell Limited in respect of the erection of fencing on front boundary wall at 9 Factory Lane, Peel. The Minister concurred with the Inspectors conclusions and accepted the recommendation that the Appeal should be allowed and accordingly directed that the decision should be reversed and approval be granted subject to a planting scheme being provided to the planning authority within three months of the decision. *NOTED*

PROPOSED DWELLING – BATTERY ROAD 09/396 The Town Clerk referred to a planning application seeking approval in principle to erect a dwelling on land between Cliffe Cottage and Greystones, Battery Road, Peel. The applicants Miss Georgson and Mr. Stanley had requested whether the Commissioners would agree to reducing the height of the headlands field hedge at the Battery Road junction with the Ramsey Road to improve visibility sight lines. The Town Clerk indicated that he had requested from the applicants the length of hedge that was requested to be reduced and it was noted that the height reduction sought was 1.05 metres. Members *AGREED* to defer a decision on the application pending receipt of the additional information.

GERMAN PARISH CIVIC SUNDAY 09/397 The Town Clerk referred to an invitation to the Chairman and Members to attend the civic service to be held in the Parish of German on Sunday 22<sup>nd</sup> November 2009 at 11.00a.m. The Chairman indicated that he would attend the service.

PAY AND DISPLAY CAR PARKING 09/398 Consideration was given to an email received from Mr. Paul Woodhouse concerning the decision of the Board to introduce limited pay and display car parking on a section of the Market Place car park. Mr. Woodhouse was opposed to the proposal and it was *AGREED* that a suitable response be sent outlining the position of the Commissioners with regard to this subject.

BLUEBELL  
CLOSE

09/399

Mr. Lace referred to the paths established between Bluebell Close and the QE11 school. Mr. Lace was supportive of a proper road/pathway being created to enable safe access to and from school without recourse to the main A1 road. It was *AGREED* that a letter be sent to the Department of Education with a request that consideration be given to improvements to this access route to make it a more permanent route including possible lighting.

WESTERN CIVIC  
AMENITY SITE

09/400

Mr. Beale referred to the improvement works taking place at the Western Civic Amenity Site, St. Johns and indicated that the contractor was ahead of schedule. This could result in the work being completed and the site being reopened in mid January 2010.

Members also noted that a new site manager had been appointed namely Mr. Mike Rose. *NOTED*

This part of the meeting ended at 8.30p.m.

