

# GENERAL MEETING

The MINUTES of a GENERAL MEETING held in the Board Room, Town Hall, Derby Road, Peel on Tuesday 17<sup>th</sup> November 2009 at 7.00p.m.

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

Apologies                Mrs. C A Moughtin

In attendance            Mr. P G Leadley (Town Clerk)

## Action

CHAIRMAN'S  
WELCOME

09/401    The Chairman welcomed the Press and public to the meeting and referred to the recent spectacular firework display. The Chairman also attended the deeds ceremony for the building of the new doctors surgery in Peel. He wished to thank all those involved in this project.

MINUTES

09/402    The Minutes of the meeting held on 3<sup>rd</sup> November 2009 were taken as read and *CONFIRMED* subject to an amendment to Minute 09/387 where the words in the first paragraph "Mr. Jones" were deleted and replaced by the words "Mr. Beale".

BUS SERVICE  
REVIEW

09/403    The Town Clerk referred back to Minute 09/381 and confirmed that a date for a meeting with representatives of the bus service would be arranged during January 2010. PGL

Arising therefrom Mr. Lace enquired whether efforts could be made to extend the current length of the bus stop in Derby Road to accommodate two buses. This could mean moving the availability of car parking lower down the road. It was *AGREED* that this could be raised with Mr. Kinrade of the bus company and the Department of Transport in due course.

PEEL TRAFFIC PLAN	09/404	The Town Clerk confirmed that a public meeting had been arranged for 9 <sup>th</sup> December 2009 between 2.00p.m. and 9.00p.m. in the Town Hall Boardroom for the display of the proposals under the Peel Traffic Management Plan. Officers from the Highways Division of the Department of Transport would be in attendance to advise on the proposals for the revised traffic arrangements for Peel.	
PROPOSED SEWER TREATMENT WORKS	09/405	Reference was made back to Minute 09/387 and the Chairman proposed a further meeting in the New Year with the Department of Transport to continue dialogue over the proposed sewer treatment works for Peel and the West.	PGL
PAY AND DISPLAY CAR PARKING	09/406	The Town Clerk referred back to Minute 09/398 and indicated that he had written to Mr. Christopher at the Department of Transport with a draft of the proposed Pay and Display Car Parking Order.	
TESCO DEVELOPMENT	09/407	Mr. Lace referred back to Minute 09/383 and referred to the meeting scheduled for 18 <sup>th</sup> November 2009 with Mr. Bradley. Mr. Lace enquired whether the Chairman needed to declare an interest in this matter as he was an employee of Shoprite Limited which was a competitor of Tesco's and there could, in his opinion, be a conflict of interest. It was noted that Mr. Bradley would attend the meeting in his capacity as Chairman of the Retailers Committee of the Chamber of Commerce and the discussion related to Tesco's planning application. The Town Clerk advised that there was not, in his opinion, any conflict of interest.	
CRIMINAL JUSTICE BILL	09/408	Reference was made back to Minute 09/388 and the Town Clerk advised that no written views had been forwarded by Members concerning the draft Bill.  Mr. Jones indicated that whilst there were certain concerns over Police powers, in his opinion, they related to the protection of individuals who may be under Police interview. The Chairman indicated that his concern related to the length of time that such recordings were kept and Mr. Jones indicated that with possibilities of criminal appeals and judicial reviews the recordings had to be	PGL

retained for a significant period of time. Mr. Jones did however have strong concerns relating to the issue of children being requested to make particular purchases of an age restricted product in order to check compliance with the law. In conclusion Mr. Jones felt that the main area of the draft Bill relating to partnership arrangements between local authorities and the Police and the sharing of information and work with governing bodies was, in his opinion, important.

Mrs. Birkett reiterated her concerns that the references within the Bill to best practice and other jurisdictions should be disregarded and that the Isle of Man, as a separate entity, should follow its own best practice.

The Chairman referred to the powers under the Bill relating to the ability to amend the regulations without recourse to Tynwald and felt that this was a major concern.

The views of Members were requested to be forwarded to the Town Clerk for onward transmission under the consultation process.

PROPOSED SEWAGE 09/409  
TREATMENT  
WORKS

The Chairman referred back to Minute 09/387 and wished to read out a statement following the submission of a letter by Mr. Jones concerning his belief that misinformation and rumour was in evidence over the proposed sewage works scheme. The Chairman reaffirmed his commitment to the requirements of the Local Government Act 1985 which laid out the functions and duties of all Commissioners and statements he made would be either personal which includes information gathered and presented to the Board or already in the public domain. He expressed his disappointment that the letter had been listed in the public agenda as opposed to being "In Committee". In response Mr. Jones indicated that the submission of the letter was his responsibility and that no blame should attach to the Town Clerk.

HERITAGE  
INITIATIVE

09/410

Mr. Skidmore referred back to Minute 09/391 and suggested that Mr. Roy Baker, Curator of the Leece Museum would be an ideal candidate to become involved in any joint heritage initiative for Peel. *AGREED*

PGL

BLUEBELL CLOSE	09/411	Mr. Lace referred back to Minute 09/399 concerning the proposal to establish a path between the QE11 High School and Bluebell Close. Mr. Lace had recently inspected the location and stated that the majority of the link pathway was within the school grounds and that laying a section of hardcore could create a useful pathway for students to use. This would be of benefit in discouraging students from using the main highway. It was <i>AGREED</i> that this matter be referred to the Department of Education for their consideration on safety grounds.	PGL
ST GERMANS CATHEDRAL	09/412	Reference was made back to Minute 09/394 with regard to planning application PA 09/00725/CON Registered Building Consent for internal alterations and erections of external notice boards at St. Germans Cathedral. Members noted the planning decision approving this application and a discussion ensued over the decision to permit the removal of church pews. The matter was discussed at some length and Mrs. Birkett indicated her desire for an Appeal to be lodged with regard to this decision. Mr. Skidmore declared an interest in this matter and after the views of others Members were voiced it was <i>AGREED</i> by a majority that a letter of Appeal be sent to the Planning Committee. Mrs. Birkett indicated her desire to attend the Appeal hearing. <i>NOTED</i>	PGL
APPOINTMENT OF VICE CHAIRMAN	09/413	With the recent resignation of Ms. Penny Hardman as Vice-Chairman initial consideration was given to the appointment of a Vice-Chairman in her place. Mr. Lace proposed and Mr. Jones seconded that the matter be deferred to a later meeting. <i>AGREED</i>	
DRAFT PLANNING POLICY STATEMENTS	09/414	Consideration was given to a consultation exercise with regard to draft planning policy statements issued by the Department of Local Government and the Environment. Members had no views on the policy statements.	
SUPPLEMENTAL VALUATION LIST	09/415	Members noted receipt of the third supplemental valuation list for 2009.	
MANX NATIONAL	09/416	Members noted receipt of the consultation	

HERITAGE

findings on the review of the Constitution and Functions of Manx National Heritage.

MANX SECTOR  
PENSIONS BILL

09/417

Consideration was given to a consultation exercise with regard to a Public Sector Pensions Bill. PGL

The Chairman indicated that the Bill proposed the modernisation of public sector pensions. It was the Chairman's view that final salary pension schemes should cease for new employees but that existing employees should be protected. It was noted that local authority employees were currently members of a pension scheme that included its own pension fund. The proposed new Bill included reference to local authority employees and it was *AGREED* that as the Local Authority Scheme held its own pension fund clarification was needed as other government bodies did not hold pension funds but were awarded pensions from the general revenue of government.

Mr. Jones indicated that he had certain sympathy with the aims of the Bill as there were currently twenty one separate government pension schemes and there was a need for this to be streamlined. Mr. Skidmore indicated that there were complicated circumstances involved with particular regard to the medical profession and that the issue of long term recruitment and retention of staff needed to be addressed. The proposed new Pension Bill would impact significantly on medical consultants which could result in the loss of large sums of pension. Mr. Skidmore was firmly of the belief that existing staff required protection. It was *AGREED* that an appropriate response be sent to the Personnel Office under this consultation process.

PORT ERIN CAROL  
SERVICE

09/418

Members noted receipt of an invitation to attend the Port Erin annual carol service at St. Catherine's Church, Port Erin on 17<sup>th</sup> December 2009 at 7.00p.m. *NOTED*

CHRISTMAS  
LANTERN  
COMPETITION

09/419

The Town Clerk referred to a letter from Mrs. Margaret Jones, Area Site Manager for Manx National Heritage and indicated that Manx National Heritage would be funding the Christmas lantern prizes. It was *AGREED* that the Commissioners purchase selection boxes

for all the entrants into the competition. Arising therefrom Mr. Jones indicated that he would arrange for Santa Claus to be in attendance at the switching on ceremony of the Christmas lights on 28<sup>th</sup> November 2009.

ANNE FRANK EXHIBITION DINNER	09/420	The Town Clerk referred to an invitation to individuals and groups to attend the Anne Frank Isle of Man Exhibition dinner which would take place on 30 <sup>th</sup> January 2010 at the Mount Murray Hotel, Santon. The black tie dinner would involve special guest speaker Eva Schloss who was Anne Frank's step sister. The individual ticket price was £60.00 per head. <i>NOTED</i>	
HOUSING (FLATS) REGULATIONS 1982	09/421	The Town Clerk referred to a recommendation from the Environmental Health Technician to register flats 11, 12, 13, 14, 15 and 16 at Woodview Court, Reayrt ny Keylley, Peel. <i>AGREED</i>	PGL
PLANNING APPLICATIONS FOR COMMENT	09/422	The following planning applications were considered as follows:  PA 09/01739/B Replacement white uPVC front door to front elevation, 1 Tynwald Road, Peel. <i>RECOMMENDED FOR APPROVAL.</i>  PA 09/01777/B Amendment to original plan to move driveway access into the estate, 1 Close Cubbon, Peel. <i>RECOMMENDED FOR APPROVAL.</i>  PA 09/01738/B Replacement windows and door to rear elevation and replacement front and rear dormer windows, 1 Tynwald Road, Peel. <i>RECOMMENDED FOR APPROVAL.</i>  PA 09/01740/B Replacement uPVC sliding sash windows to front elevation, 1 Tynwald Road, Peel. <i>RECOMMENDED FOR APPROVAL.</i>  PA 09/01728/B Change of Use for the ground floor from confectionary outlet/shop to sandwich bar, 1 Douglas Street, Peel. <i>RECOMMENDED FOR REFUSAL.</i>	PGL
PEEL AND WESTERN DISTRICT HOUSING	09/423	Mr. Skidmore referred to his membership on the Peel and Western District Housing Committee and indicated that with his recent	PGL

COMMITTEE

appointment to the newly formed Regeneration Committee he wished to step down from the Westlands Committee. After discussion it was *AGREED* that Mrs. Birkett be appointed as one of the Commissioners representatives on the Westlands Committee in Mr. Skidmore's place.

NOTICE OF MOTION 09/424  
– SEWAGE  
TREATMENT  
WORKS

Mr. Jones requested that his Motion to instigate an inquiry into the circumstances surrounding the proposed sewage treatment works for Peel be withdrawn. Accordingly it was *AGREED* by all Members that Standing Orders be suspended for this matter only. Mr Jones stated that in light of the possibility of incurring additional costs the progression of an inquiry could not be justified. It was *AGREED* that this Motion be withdrawn and the Town Clerk advise the Department of Local Government and the Environment accordingly.

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HARBOUR  
FACILITIES

09/425

Mrs. Birkett referred to a letter she had received from a local fisherman who wanted his crew to be able to use the new toilets and showers. She indicated that the fisherman was prepared to pay extra harbour dues and it was *AGREED* that the Board support a letter to the Harbours Division requesting the facilities be made available to fisherman including the breakwater toilets which were only open from 8.00a.m. to 5.00p.m.

PGL

Arising therefrom Mr. Lace referred to the sunken boat within the harbour and requested that a letter be sent to Captain Brew for its removal.

Arising therefrom Mr. Lace also referred to the recent VAT payment reduction to the Isle of Man and indicated that in his view the Department of Agriculture Fisheries and Forestry decision to cut the fishing and farming grants would have a significant impact on Peel fisherman and local farmers. After discussion it was *AGREED* that a letter be sent to the Department and to Mr. Crookall, MHK to see if savings could be found elsewhere rather than from these important grant schemes.

MR. D JONES

09/426

The Chairman referred to a letter he had received from Mr. David Jones on behalf of the Peel Action Group requesting a meeting with the Commissioners to discuss the various

PGL

options that could be considered in the provision of a sewer treatment works for Peel and the West. Members were not averse to meeting with the Action Group on the basis that only two to three representatives attended the meeting. It was *AGREED* to invite Mr. Jones and two action group colleagues to a meeting with the Commissioners on 10<sup>th</sup> December 2009 at 7.00p.m. at the Town Hall.

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|---------------------------|--------|---|
| TRANSITION ISLE<br>OF MAN | 09/427 | The Chairman wished to remind Members that a meeting of the Transition Group regarding “Think Global – Act Local” was scheduled at the Clothworkers School on the 19 <sup>th</sup> November 2009 between 7.30p.m. and 9.00p.m. <i>NOTED</i> |
| CORPORATE<br>GOVERNANCE   | 09/428 | The Town Clerk referred to the proposed briefing by the Department of Local Government and the Environment regarding Corporate Governance scheduled for 26 <sup>th</sup> November 2009 which had subsequently been cancelled. <i>NOTED</i>  |

This part of the meeting ended at 8.25p.m