

GENERAL MEETING

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

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

Apologies Mr I Skidmore

In attendance Miss P L Bampton (Finance Officer)

Action

CHAIRMAN'S
WELCOME

09/580 The Chairman welcomed the Press and public to the second meeting of March 2010. The Chairman expressed his thanks to Mrs. O'Halloran who had stood in for him at short notice to meet the Lieutenant Governor at the Anne Frank Exhibition as he was unable to attend due to illness.

The Chairman informed Members that he had to announce with sadness that Mr. Skidmore had decided to resign as a Commissioner owing to work commitments and health reasons. Mr. Gimbert reported that he wished to express his thanks to Mr. Skidmore for all the hard work that he had done as a Commissioner over the past twenty two months.

MINUTES

09/581 The Minutes of the meeting held on 2nd March 2010 were taken as read and *CONFIRMED*.

WESTERN SEWAGE
PLANT

09/582 The Chairman referred back to Minute PGL 09/560 and asked Mr. Beale if he had any comments to make regarding his site visit to Meary Veg. Mr. Beale informed Members that he would like to defer the matter to the next meeting. It was *AGREED* to make the issue an agenda

item for the next meeting.

SKATEBOARD PARK 09/583 The Chairman referred back to Minute 09/561 and Mrs. O'Halloran reported that the representatives were happy that the skateboard park was being concreted and were pleased with the way the work was progressing. The Committee would also be willing to assist in carrying out any work that needed to be undertaken. Mrs. O'Halloran informed Members that she was impressed with the way the youth representatives had come up with plans to transform the park. JH/TQ

Mrs. O'Halloran reported that another meeting was needed when either the Technical Officer or the foreman could attend to discuss the way forward. The Chairman informed the Board the he hoped the work would be finished in time for Easter. After this the sub Committee needed to look at a long term plan for the Headlands field. *NOTED*

COOIL ROAD 09/584 The Chairman referred back to Minute 09/563 and asked Members to consider a letter regarding the proposed development order for Braddan from Ryzner Associates, Chartered Town Planning Consultants. The Chairman reported that Kaz Ryzners' view differed widely from the document previously received from Quinn Legal concerning the proposed resignation for industrial use. The Chairman commented that there were other areas around the Island as part of regeneration plan that could be used. Mrs. Birkett agreed and informed Members that she was in favour of having businesses spread around the Island and in Peel. Mr. Jones reported that the Board needed to work at attracting business into Peel. Mr. Harmer informed Members that they needed to develop and support regeneration and Mrs. Moughtin reported that Peel should be promoted more extensively. PGL

The Board *AGREED* that this was not just a Douglas issue and Ryzer Associates should be asked to look at

other areas of the Island that were already designed for industrial use prior to re-designating farm land. It was further *AGREED* that an objection to the designation of the farmland as industrial land, would be made by the Board directly to the Department of Local Government and the Environment.

LOCAL AUTHORITY
RENT INCREASES

09/585

Mr. Jones referred back to Minute 09/570 and reported that he had been approached by a number of the Commissioners tenants who were unhappy with the increase in their rents after their houses had been re-pointed by the Department of Local Government and the Environment. Some people's rents had risen by £20.00 per week. Mr. Jones enquired if there were any measures that the Board could put into place to help the people on low income. The Chairman reported that these tenants should approach the Department of Health and Social Security.

Arising therefrom Mr. Jones commented that tenants were complaining that their rents had increased but repairs were not being carried out to their properties and would it be possible to carry out these repairs. It was *AGREED* that if tenants were unhappy that work had not been undertaken then they should contact Mr. Lace, Lead Member of Housing, and he would contact the Housing Officer and ask him to chase up the repairs. The Board *AGREED* that in future properties would be re-pointed immediately after capital schemes had been carried out to them. DL

BALLAWATTLEWORTH
ACTION GROUP

09/586

The Chairman referred back to Minute 09/579 and informed the Board that the recent meeting of the Ballawattleworth Action Group on 11th March 2010 to discuss the proposed distributor road through the Ballawattleworth Estate had been postponed due to illness. PGL

Arising therefrom Mr. Lace reported that he had spoken to Mr. McLoughlin from Heritage Homes who informed him that

they were open with purchasers future residents from the start that once the plans were passed there would be a link road.

The Chairman reported that the estate had been set up as a home zone and Heritage Homes Limited were asked to change the width of the road by the Department of Transport from by 5.5 to 6.1 metres to enable buses to go up there.

The Chairman informed Members that the Department of Transport had asked the Commissioners to designate an HGV route through the town. The Chairman reported that the Board did not want HGV's coming through Peel and using Peel as a short cut. JCK's planning restrictions needed to be enforced. The Board *AGREED* to meet with the Ballawattleworth Action Group on Thursday 25th March at 7.30p.m.

NOTICE OF MOTION

09/587

Mr. Jones announced that he would like to move a Notice of Motion regarding a proposed new press policy. Mr. Jones's Motion stated that "(1) Before any matter has been decided on as policy or a matter decided by the Board, Commissioners have freedom to contact and discuss issues with the media, but must have regard to their conduct relating to breaches of confidentiality and the need to report the Commissioners best interest. It is also important that the Commissioners stress to reporters and others when giving a personal view on an issue that their views may not represent that of the Commissioners as a whole. Commissioners who issue press releases or make statement to the press or the general public should remember that they may be personally liable if there are subsequent claims made for defamation or other matters arising from their media release.

(2) Once a decision has been made by the Board on any matter brought for debate no Commissioner should issue any comment to the press, media, web site or general public which may be deemed

contrary to that decision, without the consent of the Board. Commissioners should always bear in mind that they are part of a corporate system of Government and have a duty to abide by a majority decision of the Board.

(3) Any Commissioner who breaches this policy will be subject to such disciplinary measures as decided by the Board.

Mrs. Moughtin seconded Mr. Jones's Notice of Motion. Mrs. Birkett informed Members that she agreed with the majority of the text. However, she had a concern that she should be allowed to reserve the right to give her own opinion if a member of the public asked for it and state that she did not agree with a majority decision that had been made by the Board.

Mr. Harmer voiced his concern about the wording of this particular motion. Mr. Harmer stated that freedom of speech was vital and if you altered the way in which the Commissioners can communicate it will send negative messages to the public. Mr. Harmer informed Members that he opposed the motion.

Mrs. Moughtin commented that the motion was not designed to prevent a Commissioners' right to speak. The motion was to prevent any incidences such as those that had happened previously when decisions were made "In Committee" and then became public knowledge. Mrs. O'Halloran *AGREED* with Mrs. Birkett's comments that she should have the right to express her own opinion and expressed concerns that the Commissioners would in fact be policing themselves if any Commissioner breached the policy.

The Chairman reported that he championed freedom of speech and was disappointed that the motion had come about. The Chairman informed the Board that Standing Orders should be

adhered to and Members did not need another policy which was going against the Commissioners rights to speak as individuals. The Chairman reported that the Commissioners needed to be communicating more with the electorate. Standing Orders allowed for Board Members to be made accountable for their actions if they breached them. There was however no criteria in this notice of motion as to who would do the disciplining and how it would be carried out.

Mr. Jones commented that the motion was not about “In Committee” decisions but about having a proper press policy. The Commissioners were part of a body corporate and individual Members were not at liberty to campaign against a decision made by the Board or put individual comments out to press.

The Chairman asked Members to vote on all three parts of the notice of motion:

For

Mr. Beale
Mr. Jones
Mr. Lace
Mrs. Moughtin

Against

Mr. Gimbert
Mrs. Birkett
Mr. Harmer
Mr. Gimbert
Mrs. O’Halloran

The Chairman exercised his casting vote and voted against the notice of motion. The motion was defeated.

MICHAEL STREET
ROAD CLOSING

09/588

The Chairman reported that he had received a number of complaints from shop owners in Michael Street regarding the removal of the road closing function which was provided by the Commissioners and recharged to the Department of Transport. The shop owners had asked the Board if they could reconsider the decision. The Chairman PGL

had explained to the shop keepers that it was the Department of Transport who funded the service and not the Commissioners. They had informed the Board that they could no longer afford to pay for it. The Commissioners had not budgeted to provide this service. The Finance Officer informed Members that it would cost £6310 to fund a person to put out the street signs for the next financial year. The Chairman reported that this cost equated to 1.5p on the rates.

The Chairman informed the Members that in the past it had been discussed with the Department that once the Board had decided on the traffic flow plan for Peel the Department would provide the Commissioners with an automatic bollard for Michael Street. The Board *AGREED* that a letter be sent to the Department asking for them to provide an automatic bollard for Michael Street

UNSIGHTLY
BUILDINGS

09/589

Members considered a letter from the Department of Local Government and the Environment regarding unsightly buildings and land under the Local Government (Miscellaneous Provisions) Act 1984, Section 14, and Building Control Act 1991, Section 24. The letter stated that the Department believed that unsightliness was a local issue that was best dealt with at local level. The Chairman reported that local authorities were now expected to do stages 1, 2 and 3. This would take additional man hours which had not been budgeted for. Mr. Jones informed the Board that the Department would provide training and the legislation was not dramatically complex and as the Commissioners were on the scene they were better equipped to deal with the issue. *NOTED*

NATIONAL AND
LOCAL POLITICAL
ACTIVITIES

09/590

The Board *NOTED* the Isle of Man PGL Government guidance for public servants participating in National or Local Political Activities. Members were of the opinion that it did not really affect them as page four excluded local authorities.

DRAFT PEDAL CYCLE REGULATIONS 09/591 Members considered the Draft Pedal Cycle Regulations Consultation document from the Department of Transport. Mr. Beale expressed concern that the regulations did not mention bicycle lights. Mr. Jones informed him that this was covered under different legislation. The Chairman commented that the Board should ask the Department to include lights under one legislation. Mr. Harmer commented the use of a bell on the main road was pretty ineffective. The Chairman expressed concerns that bike riders from off Island were treated differently and were not covered by this legislation. The Chairman commented that accessories or equipment needed defining. It was *AGREED* to find out exactly what accessories and equipment covered before the Board submitted its views. PGL

CHILDRENS BILL CONSULTATION 09/592 Members considered the Childrens Bill Consultation. The Chairman reported that he had sent out correspondence to Members of a person who had objected strongly to the proposals of the document. Mr. Jones commented that the Bill contained some good provision for liaison between different agencies for young people. Some areas that were covered were however overly bureaucratic. Mrs. Birkett complained that the Bill followed UK legislation and involved too much red tape and she disagreed with placing a child on a national database because if a child had one bad incident then this would follow them throughout their school life. Mrs. O'Halloran commented that everyone wanted to protect children but she was not sure whether this bill was the right way of doing it. Mrs. Moughtin reported that it should be left to Government to sort out as it was up to them to protect children. The Chairman also expressed the opinion that the measures were over the top and the Government were looking to put 18,500 children on a database which he did not agree with, as there is currently under 50 children on the at risk register. The Chairman reported that PGL

		parent/s should be responsible for their children's upbringing. It was <i>AGREED</i> to consolidate the responses and forward the Boards views under the consultation process.	
PLANNING APPLICATIONS FOR COMMENT	09/593	The following planning application was considered for comment:- PA 10/00242 Proposed extension, 20 St Germans Place, Peel. <i>RECOMMENDED FOR APPROVAL.</i>	PGL
PLANNING APPLICATIONS DECISIONS NOTIFIED	09/594	The following planning decisions had been notified:- PA 10/00017/B Alterations and erection of an extension to dwelling, Perwick, Peveril Road, Peel for Mr. Ronald Kelly. <i>APPROVED.</i> PA 10/00005/B Erection of an extension to rear of dwelling house, 34 Douglas Street, Peel for Mr. Chris Caldwell. <i>APPROVED</i> PA 10/00004/B Roofing works, 1-12 inclusive Close Chairn, Peel for Peel Town Commissioners. <i>APPROVED</i> PA 10/00080/B Installation of a solar panel, 3 Aspen Drive, Ballawattleworth Estate, Peel for Mr. Frank Crompton. <i>APPROVED</i> PA 10/00027/B Installation of replacement windows, Peel Youth Centre, Shore Road, Peel for the Department of Education Works Division. <i>APPROVED</i>	
PLANNING APPEAL PA 09/01665/R	09/595	The Chairman referred to an Appeal by Mr. Ian Andrew McLean for the erection of a conservatory at the rear elevation. The Minister concurred with the Inspector's conclusions and accepted the recommendation that the appeal should be allowed. This planning application sought retrospective planning permission for the erection of a single storey uPVC	PGL

conservatory to the rear elevation of the property. The Commissioners *AGREED* not to support this application as the conservatory was intrusive.

PA 09/01586/R	09/596	The Chairman referred to an Appeal against approval for part removal and alteration to existing wall, proposed dwelling Factory Lane, Peel by Mr. Lee Morgan and Miss Helen Corrin. The Board <i>AGREED</i> to support this appeal and the Finance Officer undertook to check with the Town Clerk that a letter of support had been sent.	PGL/LB
HERITAGE HOMES LIMITED	09/597	The Board considered a request from Mr. J McLoughlin to consider a request from Heritage Homes to name the new housing development adjacent to Reayrt ny Keylley. The Finance Officer provided the Board with a list of suggestions of name. These were Cronk Beg, Reayrt ny Cronk, Eairy Beg, Highfield Meadow, Hillcroft, The Crofts, Tower View, Cronk ny Greieny, Ballacallin Meadow. The Board wished to defer naming the estate until Heritage Homes had obtained building regulations for the properties that they were intending to build and the drainage for the estate had been approved by the Department of Transport.	
ISLE OF MAN RENT AND RATING APPEALS	09/598	The Commissioners considered a number of rent and rating appeals. Mrs. Birkett reported that she had counted 14 letters asking for a rates reduction due to the building work of 43 new homes at Reayrt ny Keylley. The Commissioners <i>AGREED</i> to write to Dandara and ask them to cover the lost income in rates.	PGL
YN CHRUINNAGHT 2010 FESTIVAL	09/599	The Committee <i>AGREED</i> to a request from Yn Chruinnaght for the Bree Youth Group to raise funds for the National Autistic Society, Isle of Man Branch on Saturday 17 th July 2010 in Michael Street.	LB
CAMPSITE GRADING	09/600	Members noted receipt of a letter from the Department of Tourism confirming that the campsite had been awarded a	

commended grading for the forthcoming season.

HOUSING (FLATS)
REGULATIONS 1982

09/601

The Board noted receipt of a copy letter from the Department of Local Government and the Environment informing Mr. Grant McPherson the owner of flats 1 to 9, Castle Apartments, 40 Castle Street, Peel that under Housing (Flats) Regulations 1982 all his flats fell short of the standard and were suffering from severe penetrating damp. Mr. McPherson had been given 28 days to rectify the dampness problems and failure to carry out this work would result in the Commissioners removing the flat registration.

BAPTISM ON THE
BEACH

09/602

Members *AGREED* to a request from Reverend John Powell made on behalf of the Lord Bishop of Sodor and Man to hold a baptism on the beach on Sunday 4th April 2010 starting at 3.30p.m.

LB

SEAGULLS

09/603

Mrs. O'Halloran referred to a letter from Terry Oliver regarding a the control of seagulls. Mrs. O'Halloran informed the Board that she thought it would be worth contacting him to see if he could give advice on the gull problem in Peel. Mrs. O'Halloran wondered whether it could be made a byelaw that property owners had to take anti seagull nesting measures. The Chairman reported that it would be a massive task to undertake throughout the Town.

JH

A letter had also been received from Mrs. Brew, proprietor of Peel Kiosk regarding the problem of seagulls stealing food from people eating at the kiosk. Mrs. Brew also mentioned in her letter that there was a lack of tourist information facilities on the promenade and suggested providing a manned tourist information booth.

The Board *AGREED* that Mrs. O'Halloran should gather some more information on seagull control measures.

TRAFFIC CALMING MEASURES	09/604	Members considered an email from Hugo Mackenzie, Traffic Technician from the Department of Transport asking for the Commissioners comments on the traffic calming proposal for Oak Road. It was <i>AGREED</i> to discuss this issue at more length at the next meeting of the Ballawattleworth Action Group.	PGL
BALLQUANE ROAD	09/605	Mrs. Birkett reported that there were large pot holes in Ballaquane Road. The Finance Officer undertook to ask the Technical Officer to contact the Department of Transport and ask them to fill them in.	TQ
MRS. BREW	09/606	Mr. Beale reported that he had been approached by Mrs. Brew from the kiosk and asked if the Commissioners could provide a reserved parking space outside the kiosk. The Chairman informed him that Mrs. Brew needed to contact the Department of Transport as they were responsible for providing reserved parking spaces on the road.	EB
CORLETTS SANDPIT	09/607	Mrs. Moughtin expressed her concern at the amount of sand and sediment coming from Corletts sandpit. The sand was being washed down the River Neb and a large sand bank was forming. It was <i>AGREED</i> to write to German Commissioners and the Planning Authority and ask them to investigate if Corletts were complying with their planning regulations.	PGL
PEEL HILL	09/608	Mr. Lace enquired if they Department of Transport could cut the bottom of Peel Hill before Easter. It was <i>AGREED</i> to make an approach to the Department to see if they could cut the hill.	TQ
WALPOLE AVENUE LANDSLIP	09/609	The Chairman reported that he had been advised by the Technical Officer that it would cost £45,000 to repair the damage done by the landslip at Walpole Avenue and also provide 16 parking spaces. It was <i>AGREED</i> to find out what the loan rate would be for the next meeting.	LB

DOG BIN REPLACEMENTS	09/610	The Chairman enquired if there was any time frame for the replacement dog bins. The Finance Officer undertook to find out when they would be replaced.	LB
DAISY PATH	09/611	The Chairman enquired if the daisy path could be cut. The Finance Officer undertook to ask the foreman to instruct the men to undertake the work. <i>AGREED</i>	MM
SHELTERS	09/612	The Chairman asked if an update for the work that was being carried out on refurbishing the shelters could be obtained. The Finance Officer undertook to provide an update for the next meeting.	LB
LEECE MUSEUM	09/613	The Chairman asked if the radiators could be installed at the Leece Museum before the start of the season. <i>AGREED</i>	LB/LD
		This part of the meeting ended at 8.40p.m.	