

GENERAL MEETING

The MINUTES of a GENERAL MEETING held in the Board Room, Town Hall, Derby Road, Peel on Tuesday 17th August 2010 at 7.00p.m.

Present Mr. R Harmer (Chairman)
 Mr. E C Beale
 Mr. A Jones
 Mr. D J Lace
 Mrs. J O'Halloran
 Mr. R M Gimbert
 Mr. N Cushing

Apologies Mrs. C A Moughtin
 Mrs. T M Birkett

In attendance Mr. P G Leadley (Town Clerk)

Action

CHAIRMAN'S
WELCOME

10/197

The Chairman welcomed the Press and public to the second meeting of August and wished to express his congratulations to the RNLI over their recent Thanksgiving Service. The Chairman wished to extend his congratulations to all the participants in the Peel in Bloom Garden Competition and also wished to acknowledge the successful enterprise at Peel Engineering Company which had recently appeared on the Dragons Den programme on TV.

The Chairman awarded the prizes to the successful entrants in the three categories of the Peel Garden Competition.

Hanging Baskets

1st – Mr. Nigel Sperring, Albany House Albany Road, Peel.

2nd – Mr. D R Faulkner, 1 Reayrt Aalin, Peel

3rd – Mr. E Craker, 33 Ballatessan Meadow, Peel

Individual Householder's Gardens

1st – Mr. D R Faulkner, 1 Reayrt Aalin, Peel

2nd – Mr. Nigel Sperring, Albany Road, Peel

3rd – Mrs. S Williamson, 45 Bluebell Close, Peel

Commercial Garden/Hanging Baskets

1st Carine's Coffee Shop, Douglas Street, Peel.

2nd – Christine Kelly, Peveril Hotel, Crown Street, Peel

MINUTES	10/198	The Minutes of the meeting held on 3 rd August 2010 were taken as read and <i>CONFIRMED</i> .	
FREEDOM OF INFORMATION BILL	10/199	Mr. Gimbert referred to the consultation exercise in respect of the Freedom of Information Bill and expressed concern at a number of the proposed clauses including the limitation on records prior to 1996, the exceptions of the Council of Ministers from the provisions of the Bill and in particular the fact that local authorities would be required to provide greater information than ministerial government. Mr. Gimbert referred to clause 3.3.8 and indicated how undemocratic it was that the Council of Ministers could amend the list provided it did not include itself or the Lieutenant Governor. Mr. Gimbert also queried why the Council of Ministers were able to restrict the amount of information that could be released. The Bill also provided for the payment of fees for archived information but of particular concern was the provision that the Council of Ministers could specify where such funds were to be allocated. In terms of time for compliance Mr. Gimbert queried the provision of twenty working days for non archived information and forty days for archived information. Mr. Gimbert also expressed concern over the reference to Parliamentary business under clause 3.17.1 and also in respect of relationships with the UK with regard to formulation of policy, communication between Ministers and advice from the Attorney General which would not be included within the provisions of the Bill and Mr. Gimbert queried as to why this should be the case. Reference was made to sanctions for non-compliance under clause 3.9 and also expressed concern over clause 3.30 relating to the conduct of public business and the ability of the Minister or a person authorised by the Minister to be deemed “a qualified person” for the purposes of information that could not be disclosed. Mr. Gimbert also queried the period of time under	PGL

clause 3.37 (b) regarding “a reasonable timeframe” where vexatious or repeated requests were being made for information. In conclusion Mr. Gimbert suggested that the Information Commissioner should be autonomous in terms of information access and was responsible for writing the Code of Practice.

Mr. Jones agreed in principle with the Bill but felt that not all Government information could or should be open to the public as some element of confidentiality was needed for it to conduct its business.

The Chairman summarised the debate and it was *AGREED* that the Town Clerk draft a response to the consultation exercise for approval by the Board.

PEEL CASTLE 10/200

Mr. Lace referred back to Minute 10/175 and indicated that the next meeting of Manx National Heritage would be in September.
NOTED

DERBY ROAD CAR PARK 10/201

Reference was made back to Minute 10/180 in respect of Mr. Gimbert’s deferred Motion with regard to the provision of eleven car parking spaces in the Derby Road car park being transferred to the Shoprite car park in upper Derby Road seconded by Mr. Jones.

The Town Clerk read out letters from residents of Church Street all of which objected to the Motion and indicated that the proposal to provide eleven spaces should remain in the Derby Road car park as proposed in 2009.

The matter was discussed by Members and the general view was that as a commitment had been given to the Church Street residents in 2009 then the provision of eleven spaces at this car park should be maintained. In response Mr. Gimbert indicated that when the land transfer with Shoprite Limited was completed thirteen extra spaces would be provided which would mean if the Church street spaces were re-allocated it would still provide two additional spaces. Mr. Gimbert also queried as to the matter of parking provision for Church Street residents not

going out to wider consultation.

The Chairman concluded the debate and requested Members to vote on the Motion and it was noted that six Members opposed the Motion with one Member (Mr. Gimbert) in favour. The Chairman therefore declared that the Notice of Motion had failed.

DERBY ROAD BUS 10/201
STOP

The Town Clerk referred back to Minute 10/181 and indicated that the Department of Infrastructure would not be able to provide two additional spaces for car parking beneath and current bus shelter as it would impact upon access to the garage on the other side of the road. *NOTED*

Arising therefrom reference was made to the Manx Telecom Telephone Exchange in Albany Road and it was *AGREED* to ascertain whether the area could be utilised for general parking.

LIVING HOPE 10/202
COMMUNITY
CHURCH

Reference was made back to Minute 10/187 regarding the request from the Living Hope Community Church to hold a barbeque on Peel Beach on 29th August 2010. The Town Clerk indicated that a further letter had been received from the Church Pastor clarifying the request. It was noted that two large barbeques would be used and that whilst numbers were not available as to attendance a significant number of Church members were expected. The matter was discussed at some length and Mr. Lace was opposed to the request as a large number of people on the beach would impact and restrict access to other users. Concern was also expressed that by providing their own food the Peel traders would be deprived of business. Mr. Jones indicated support for the request and after a lengthy discussion a compromise proposal was made in that the church be offered the use of Fenella Beach instead of Peel Beach.

Letter sent

CREG MALIN 10/203
LANDSLIP

The Town Clerk referred back to Minute 10/192 and indicated that the Technical Officer was in the process of obtaining costed options for the necessary work in accordance with the Structural Engineer's report. *NOTED*

TQ

DOUGLAS STREET 10/204 PGL
CAR PARK LAYBY

Mr. Gimbert referred back to Minute 10/177 and referred to the trial run for the provision of the temporary layby for delivery vehicles to Michael Street shops. Mr. Gimbert indicated that the larger HGV vehicles would have difficulty in using the layby due to the slope of the car park at this location. As an alternative proposal Mr. Gimbert suggested that the HGV delivery vehicles stop in the road and a chicane be created into the car park and around the layby thereby slowing traffic down.

It was *AGREED* that the Town Clerk investigate this proposal with Mr. Sewell of the Highways Division of the Department of Infrastructure.

PEEL BEACH 10/205 PGL

Mr. Gimbert referred back to Minute 10/178 and indicated that whilst the beach was the Town's major asset the previous weekend a significant quantity of seaweed ended up on Peel beach at the waters edge. It was discussed as to the cost implications in clearing the beach of seaweed and it was *AGREED* that the Town Clerk and Mr. Lace investigate the problem.

QUEEN ELIZABETH 10/206
SECOND HIGH
SCHOOL

Mr. Gimbert referred back to Minute 10/191 and enquired as to the situation regarding the memorial award in respect of Mr. Brian Cain the former gardener at both the QE11 and Peel Clothworkers Schools. The Town Clerk advised that the Environmental Award sponsored by the Commissioners had taken place on 22nd July 2010 when four students received the Brian Cain Memorial Award.
NOTED

IRIS REGIONAL 10/207 PGL
STRATEGY

Consideration was given to the letter from Aecom in respect of the environmental appraisal consultation for the IRIS Regional Sewage Treatment Strategy. Members were of the view that additional time was needed to address the consultation request and adverse comment was made over the request from Aecom that a response be made by 20th August 2010.

Mr. Gimbert indicated that the Commissioners were in consultation with the Water and Sewerage Authority over the two

options concerning a stand alone treatment works and a link to the Meary Veg Treatment Plant via the central valley. It was Mr. Gimbert's view that any decision in this respect should be deferred with regard to the central valley option until the discussion between the Commissioners and the Authority had been concluded. Mr. Gimbert indicated that the pipe proposed was smaller and that the AECOM consultation exercise should remove the Central Valley Peel link to Meary Veg at this stage.

Mr. Lace was of the view that the matter should be progressed so that a treatment works to deal with sewage in Peel could be achieved.

Mr. Cushing was somewhat perplexed as advice had been given that the provision of a treatment works for the West could be anything up to ten years away and in that respect he was confused as to the urgency requested under this consultation exercise.

The Chairman summarised the debate and stated that a fifteen day consultation period was inadequate especially having regard to the time line for this scheme. It was *AGREED* to advise Aecom accordingly.

FORMER SWIMMING POOL SITE – MARINE PARADE 10/208

Consideration was given to a letter from Mr. Ray Gell regarding his suggestions for the redevelopment of the former swimming pool site at Marine Parade. PGL

It was *AGREED* that Mr. Gell be written to and thanked for his proposals which would be discussed in greater detail at a future strategy meeting of the Commissioners.

PLANNING APPLICATIONS FOR COMMENT 10/209

The following planning applications were considered as follows: Letter sent

PA 10/00894/B Erection of conservatory to rear elevation, (re-advertised due to amended plans received) 4 Close Cronk, Ballatessan Meadow, Peel. *RECOMMENDED FOR APPROVAL.*

PA 10/00544/B Residential development of 101 dwelling with associated highway and

drainage works, public open space and landscaping, (re-advertised due to amended plans received), field 311825 and parts of field 315097, 311826, 311827 and 314444 between Derby Road, Poortown Road and QE11 High School for Heritage Homes Limited,

PA 10/01123 Residential development of 43 dwelling under construction, parts of fields 315097, 311825 and 311826, adjoining Rearyt ny Keylley to the south of Derby Road/Poortown Road, Peel. (Removal of condition 7 and variation of condition 9 of approved PA 09/00521/B).

PA 10/01124/C residential development of 43 dwellings under construction parts of field 315097, 311825 and 311826 adjoining Rearyt ny Keylley to the south of Derby Road/Poortown Road, Peel. (Amendment of drainage arrangements approved under PA 09/00521).

A lengthy discussion ensued over these applications and concern was expressed over the re-submission of this application due to amended plans being received as the developer intended to seek approval to deal with the sewage at the treatment plant and then pumping it back into the main sewer. The amended plans had been received following a further examination of the sewage network by the Drainage Authority which now concluded that the main sewer in Derby Road would be able to take the flows from the development. Mr. Cushing indicated that he was deeply sceptical of the application as it was his view that the treatment works for this estate would eventually become a general treatment plant for Peel. Mr. Jones indicated that any objection was unlikely to be successful and that efforts should be made to seek additional housing under planning gain. Mr. Gimbert urged Members to object to the application as he had deep concerns that the full development of the land in the vicinity of Rearyt Ny Cronk Esatate would mean that the system would not be able to handle all the sewage once up to three hundred properties were developed. Discussion ensued over to whether expert's advice should be obtained to

fight the application and comment was also made over the lack of planning enforcement for breaches of previous planning approvals obtained by Heritage Homes Limited in Peel.

In summary the Chairman indicated that there appeared to be three issues involved in the application (1) whether there was adequate capacity within the existing sewer system (2) planning enforcement (3) possible planning gain. In conclusion it was agreed to *RECOMMEND REFUSAL* of the application.

PA 10/01155/B Replacement of an existing window with smaller window, 5 Ballaquane Park, Peel. *RECOMMENDED FOR APPROVAL*

PA 10/01079/B Installation of replacement windows and door, 38 Glenfaba Road, Peel. *RECOMMENDED FOR APPROVAL.*

PA 10/01084/B Erection of two dwellings plot adjacent to number four Ballaquane Road, Peel. *RECOMMENDED FOR APPROVAL*

PA 10/01098/B Conversion of existing first floor apartment to additional restaurant area, The Quayside, East Quay, Peel. *RECOMMENDED FOR APPROVAL*

PA 10/01101/B Installation of replacement windows to rear elevation, 20 Derby Road, Peel. *RECOMMENDED FOR APPROVAL*

PLANNING
DECISIONS
NOTIFIED

10/210

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

PA 10/00930/B Extension to rear elevation, 2 Station Road, Peel for Mr. Nick Hurt. *APPROVED*

PA 10/00902/B Alterations and extension to dwelling, 8 Cronk Rearyt, Peel for Mr. & Mrs. Kenneth King. *APPROVED*

PA 10/00888/B Installation of replacement windows to front elevation, 20 Circular Road, Peel for Mr. Leonard Spencer. *APPROVED*

PA 10/00893/B Installation of two roof lights

and a sun tunnel light, 7-8 Market Place, Peel for Manx Wildlife Trust. *APPROVED*

PA 10/00786/B Demolition of existing conservatory and store, erection of two storey extensions to side and rear elevations to provide garage and additional living accommodation and installation of roof dormer on rear elevation, 1 Peveril Avenue, Peel for Mrs. Deborah Sims. *APPROVED*

PA 10/00942/B Erection of conservatory to rear elevation, 3 Oak Road, Ballawattleworth Estate, Peel for Window World (IOM) Limited. *APPROVED*

PA 10/00935/B Erection of conservatory to rear elevation, 27 Ballagyr Park, Peel for Window World (IOM) Limited. *APPROVED*

PA 10/00188/B ON 10/211
APPEAL

Members noted receipt of an Appeal application in respect of appeal against approval for erection of an extension and widening existing driveway and vehicular access, 40 Mountain View, Peel by Mrs. Julie Marshall. It was *AGREED* not to submit views on this Appeal application.

PA 10/00696/B 10/212

Erection of a glazed canopy, fuel pump facility, East Quay Jetty, East Quay, Peel. The recommendation of the appointed person had been accepted by the Council of Ministers and the approval was given for the application. *NOTED*

BEACH
MOTORCROSS

10/213

Consideration was given to a request from Ramsey Motorcycle Club Limited to hold its regular beachcross at Peel on August 31st 2010. It was *AGREED* to permit the event subject to the club reinstating any sand moved for the event.

Letter sent

PEEL CAMPSITE

10/214

Members noted receipt of a letter from the group scout leader of the 1st Ballaugh Scout Group praising the campsite and its facilities in particular the help and assistance offered by Mr. Quane the Campsite Attendant. The Town Clerk indicated that a copy of the letter had been sent to Mr. Quane. *NOTED*

Reference was made to a request from the Douglas Dog Training Club which sought

permission to stage an open agility show in 2012 utilising the campsite at Peel. It was noted that twenty to thirty competitors would come from the UK and camp at the campsite. The Town Clerk advised that the event was scheduled for mid May 2012 and it was possible that it could create difficulties if the campsite was hired out in its entirety to the Douglas Dog Training Club. It was noted that they would wish to establish two to three rings within the campsite grounds to run the agility show. It was agreed to defer consideration of this request to the next meeting.

DRAFT RACE 10/215
RELATIONS ACT
2004

Reference was made to the consultation exercise in respect of the Draft Race Relations Act 2004 (amendment of schedule) Order 2010. It was *AGREED* to defer consideration of this matter to a future meeting of the Board.

MANX WILDLIFE 10/216
TRUST
DEVELOPMENT

The Town Clerk referred to earlier discussion on the request of the Manx Wildlife Trust to place a site accommodation hut/portacabin on the Market Place car park whilst renovation work was carried out to the Wildlife Trust building at 7-8 Market Place, Peel. The Town Clerk indicated that a plan indicating the contractor's preferred locations was tabled. The portacabin was 6m x 2.3m and the contract period was twenty eight weeks. After consideration it was *AGREED* that the preferred option be offered to the contractor subject to an agreed rental figure.

Offer made

CREEK INN 10/217

Consideration was given to a request from Mrs. Moughtin to allow the Creek Inn to put up a marquee immediately outside the premises for Manx Grand Prix Week. The purpose of the marquee was in the event of adverse weather and after discussion it was *AGREED* that permission for a marquee be given for the two week period.

Email sent

Mr. Gimbert tabled a photograph showing that one of the outdoor tables had encroached onto the designated walkway. It was *AGREED* to request the Town Warden to monitor the situation to ensure the walkway was kept clear.

OAK ROAD	10/218	Mr. Cushing referred to the discussions with the Department of Infrastructure, Highways Division over the traffic calming measures for Oak Road and wished to indicate that contrary to Mr. Sewell's statement that Oak Road was a distributor road and could not be designated a home zone that this was contrary to the planning condition on PA 04/01147/B which required Oak Road to be designated a home zone. Mr. Cushing enquired as to when Oak Road was first deemed to be a distributor road. It was <i>AGREED</i> to refer this matter back to Mr. Sewell for a response.	PGL
REAYRT KEYLLEY – PUBLIC OPEN SPACES	NY 10/219	Upon enquiry from Mr. Gimbert the Town Clerk indicated that Heritage Homes Limited would progress the transfer of land designated as public open space within the next three months. <i>NOTED</i>	
TRADITIONAL BOAT FESTIVAL	10/220	Mrs. O'Halloran referred to the success of this year's Traditional Boat Festival and indicated that for 2011 it was possible that the Harbours Division would not allow free mooring of visiting boats. Such a move would seriously damage the event in terms of visitors numbers to Peel and it was <i>AGREED</i> that the matter be raised accordingly with the Harbours Division.	PGL

This part of the meeting ended at 8.32p.m.