

GENERAL MEETING

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

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

Apologies Mr. E C Beale

In attendance Mr. P G Leadley (Town Clerk)

Action

CHAIRMAN'S WELCOME	10/370	The Chairman welcomed the public to the meeting and wished to thank the volunteers and staff involved in the bulb planting in Castle Street Gardens on 13 th November 2010. The Chairman also extended thanks to the Western Photographic Society and the Royal British Legion in respect of the recent Remembrance Day Service and reception.	
MINUTES	10/371	The Minutes of the meeting held on 2 nd November 2010 were taken as read and <i>CONFIRMED</i> .	
LOCAL AUTHORITY RENT INCREASE	10/372	Consideration was given to the request from the Department of Social Care for input into local authority rent increases for 2011/2012. After consideration it was <i>AGREED</i> to recommend to the Department a 5% increase.	Email sent
WESTERN REGIONAL SEWERAGE WORKS	10/373	Upon enquiry from Mr. Gimbert the Town Clerk advised that the need or otherwise for an environmental impact assessment report had not been confirmed by the Consultants AECOMM.	
STREET LIGHTING	10/374	Upon enquiry from Mr. Gimbert the Town Clerk referred back to Minute 10/350 and indicated that the new properties being built by Heritage Homes Limited adjacent to Reayrt ny Keylley had street lights installed and were lit. <i>NOTED</i>	

LAND TRANSFER	10/375	Mr. Gimbert referred back to Minute 10/352 and it was noted that the Deed of Conveyance for the land transfer was still awaited from Heritage Homes Limited in respect of the Ballawattleworth Estate.	
HOUSING SUPPORT – NOTICE OF MOTION	10/376	Mr. Gimbert referred back to Minute 10/360 in which his Notice of Motion had been defeated at the previous meeting. Mr. Gimbert indicated that an investigation into the housing points appeal process was still ongoing and in due course he would resubmit a further Notice of Motion.	
INCOME TAX DIVISION	10/377	Upon enquiry from Mr. Gimbert in respect of the previous Minute 10/363 the Town Clerk indicated that the letter to the Minister for the Department of Infrastructure had been acknowledged and a detailed response was awaited. <i>NOTED</i>	
WESTERN TRAFFIC MANAGEMENT GROUP	10/378	Mr. Lace referred back to Minute 10/368 and indicated that both he and Mr. Beale had attended the previous meeting of the group with the Town Clerk. Mr. Lace indicated that the Officers from the Department of Infrastructure were not supportive of providing a pavement on the Ramsey Road outside of Peel near to the JCK Quarry. Mr. Lace indicated that he would consider what further action he may take with regard to this matter. In respect of the Mount Murray back road upon request from Mr. Lace it was noted that traffic mirrors would be erected to aid road safety.	
ROAD TRAFFIC ACT 1985	10/379	Members noted receipt of three draft road traffic orders relating to an amendment to the existing no waiting restrictions on a section of Atholl Place and the revocation of the existing and creation of new disabled parking bays on Market Place together with the revocation of the existing and creation of new disc parking bays on Market Place. <i>NOTED</i>	
MICHAEL STREET	10/380	Consideration was given to a Notice of Motion submitted by Mr. Gimbert as follows: “As Chairman of the Chamber of Trade and Commerce I would like to propose that we request from the Department of Infrastructure the delegated authority for closing Michael Street with signs as previously carried out by an	PGL

employee of the Town”

Mr. Cushing seconded the Motion and the matter was discussed by Members. Mr. Gimbert indicated that the Chamber of Trade and Commerce would also write direct to the Minister for Infrastructure on this subject and Mr. Cushing stated that support for the Motion would give the Commissioners flexibility with regard to control and access to Michael Street. Mrs. Birkett was concerned at the cost implications and Mr. Jones stated that this was a highway issue, the responsibility of which lay with the Department of Infrastructure and not the Commissioners. In response Mr. Gimbert indicated that he was only seeking delegated authority and that an approach could be made to the Chamber of Trade and Commerce to carry out the work via a Member.

The Chairman requested a vote and with two Members in favour of the Motion and six against it was noted that the Motion failed. It was further *AGREED* that a letter be sent to the Chamber to make an approach to the Minister accordingly.

DOUGLAS STREET 10/381
CAR PARK LAYBY

The Town Clerk requested consideration be given to the future provision or otherwise for the delivery layby in Douglas Street car park. Members considered whether the layby for delivery vehicles be made permanent which would involve a conveyance of the land in question to the Department of Infrastructure to enable a permanent layby to be created. Mr. Lace commented that there was too much disabled parking provision in the area and that it should be reduced.

Reference was also made to the closure of Michael Street to vehicles from 10.00a.m. to 4.30p.m. on Saturdays which was discussed. Mr. Cushing indicated that he was in favour of the arrangement continuing for a further twelve month period. Mr. Gimbert stated that the Chamber of Trade were of the opinion that the exclusion of vehicles on a Saturday to Michael Street had a negative impact and the Chamber was concerned that the matter had not gone out to further consultation. It was *AGREED* that the matter be put in the next edition of the newsletter for more feedback. Mrs. Moughtin stated that

the Douglas Street car park was full every Saturday with commercial vehicles, motorhomes and cars and that there was a need for limited pay and display provision.

After a full discussion Members were of the view that the trial period of the closure on Saturdays be further considered at the next Board meeting.

CREG LANDSLIP	MALIN	10/382	The Town Clerk indicated that three prices would be available to reinstate the embankment at the rear of the Creg Malin for the next estimates meeting. Mrs. Birkett expressed concern at these unforeseen costs such as the landslip and dealing with asbestos in the Town Hall. Arising therefrom it was noted that the replacement of the garage roofs at Gawnes Court would be undertaken through the winter period, weather permitting.	TQ
IRIS PUMP CLOCK	HOUSE	10/383	The Town Clerk indicated that the cost of a replacement clock for the IRIS pump house would be £885 plus delivery. It was <i>AGREED</i> that the matter be considered at the next estimates meeting.	PGL
PLANNING APPLICATIONS COMMENT	FOR	10/384	<p>The following planning applications were considered as follows:-</p> <p>PA 10/01552/B Erection of garden equipment store (retrospective), Lheany Vore, Ballaquane Road, Peel. <i>RECOMMENDED FOR APPROVAL.</i></p> <p>PA 10/01569/B Installation of replacement windows and erection of conservatory, Garden House, 4 Orry Lane, Peel. <i>RECOMMENDED FOR APPROVAL.</i></p> <p>PA 10/011571/B Erection of glass balustrade at rear of property, 50 Patrick Street, Peel. <i>RECOMMENDED FOR APPROVAL.</i></p> <p>PA 10/01582/B Erection of conservatory to rear elevation, 9 St. Patrick's View, Peel. <i>RECOMMENDED FOR APPROVAL.</i></p> <p>PA 10/01596/B Alterations and erection of a two storey extension to rear elevation, 34 St. Germans Place, Peel. <i>RECOMMENDED FOR APPROVAL.</i></p>	Letter sent

PLANNING
DECISIONS NOTIFIED

10/385 The following planning decisions had been notified by the Planning Committee as follows:-

PA 10/01051/B Demolition of dwelling and creation of car parking, 3 Derby Road, Peel for Peel Town Commissioners. *APPROVED*

PA 10/01364/B Installation of replacement windows, 1 and 3 Orry Lane, Peel for Mr. Tony Faragher. *APPROVED*

PA 10/01381/B Conversion of existing garage into living accommodation, 14 Rowan Avenue, Ballawattleworth, Peel for Mr. & Mrs. Darren Burns. *APPROVED*

PA 10/01309/B Installation of replacement windows to front elevation, 17 Peveril Road, Peel for Mr. David Chapman. *APPROVED*

PA 10/01402/B Relocation of existing fencing to property boundary, 22 Ballellis, Ballawattleworth, Peel for Mr. Tim and Mrs. Wendy Shearman. *APPROVED*

PA 10/01440/C Change of Use from existing tourist accommodation to residential, 11 Circular Road, Peel for Mr. Antony David and Paul John Stephenson. *APPROVED*

PA 10/01454/B Installation of replacement doors, The Manse, Orry Lane, Peel for Mr. Tony and Mrs. Audrey Mansell. *APPROVED*

PA 10/01469/B Erection of an extension to rear elevation of dwelling house, 6 Clover Avenue, Reryt ny Keylley, Peel for Mr. Timothy Simon Robert and Mrs. Ann Elizabeth Groves. *APPROVED*

PA 10/01305/B Alterations and extension to dwelling, Thie Ain, Douglas Road, Peel for Mr. & Mrs. David Clucas. *APPROVED*

PA 10/01410/B Erection of conservatory to rear elevation, 4 The Links, Peel for Mr. Michael John and Mrs. Carol Margaret Ball. *APPROVED*

PA 10/01407/B Alterations and erection of extension to dwelling house, 4 Belle Vue Park, Peel for Mr. Jason Moffatt. *APPROVED*

PA 10/01084/B ON 10/386 APPEAL Members noted receipt of an Appeal request from Mr. David Kearney in respect of an Appeal against refusal for the erection of two dwellings at Plot adjacent to 4 Ballaquane Road, Peel. It was *AGREED* to make no comment on this Appeal application.

PA 10/01056/B ON 10/387 APPEAL Members noted receipt of an Appeal by Mr. Donald Humphries against refusal for erection of conservatory to front elevation, 12 Ramsey Road, Peel. It was *AGREED* to make no comment on this Appeal application.

TREES AND HIGH HEDGES ACT 2005 10/388 Members considered a letter from the PGL Legislation and Policy Unit of the Department of Infrastructure dated 4th November 2010 regarding a request for the Commissioners to take on the administration and enforcement of the Trees and High Hedges Act. It was noted that the Commissioners would be entitled to keep the £150 fee that would be required to be paid by a complainant if the complaint required formal investigation.

The matter was discussed and Mrs. Birkett expressed concern that the £150 fee would not cover additional costs if the matter proceeded to a Court Hearing. It was also noted that this would require additional responsibilities in duties to be undertaken by the Town Warden if accepted. After discussion Members *AGREED TO REFUSE* the request.

POLICE (AMENDMENT) BILL 2010 10/389 Members gave consideration to a consultation document with regard to an amendment Bill in respect of a new complaints procedure with regard to the Police. Mr. Jones indicated that the draft Bill did not contain any major changes to how complaints were progressed at present. It was noted that more control would devolve to the ombudsman. However there was one area of concern in which a constable with knowledge of a criminal act by another officer could not investigate the incident. It would then become political.

After discussion it was *AGREED* to make no comment on the consultation exercise.

LOCAL AUTHORITY 10/390
CONTRACTS

Consideration was given to a Notice of Motion submitted by Mr. Gimbert as follows:-

“I would like to propose that we write to Phil Gawne as Minister for the Department of Infrastructure to clarify the Department of Infrastructure’s position on the following – should costs be passed to local authorities from contracts negotiated by Government Departments, without the local authorities having the ability to question whether contract offers the local authority value for money?”

The Motion was seconded by Mrs. Birkett the matter was discussed and Mrs. Birkett indicated that local authorities had no input on the current audit contract arranged by the Treasury which imposed significant increased costs on local authorities and that it was wrong that local authorities should not have input on such matters. Mr. Cushing and Mrs. O’Halloran supported the view expressed by Mrs. Birkett. The Chairman referred to the Motion and queried the lack of any specific examples and that the wording of the Motion was too general. It was suggested that reference to the audit fees could be given as an example in any response if the Motion succeeded. Mr. Gimbert suggested that the Motion needed to be kept general and be left open for future discussions.

After being put to the vote it was found that six Members were in favour of the Motion with two abstentions.

BUILDING
MAINTENANCE
PROJECT

10/391

Consideration was given to a Notice of Motion from Mr. Gimbert as follows:

“I would like to propose that refurbishment in new build projects have gates and fences included with the works, but for the upkeep to be the tenants responsibility there has been precedent set in Fenella Terrace where we put in gates and Bluebell Close where we put in fences”. The Chairman sought a seconder for the Motion and as no-one was prepared to second the Motion it failed.

CHRISTMAS ON THE HILL 2010 10/392

The Town Clerk referred to an invitation to all Commissioners to attend the outdoor re-enactment of the nativity which would take place

on Tynwald Hill at 4.30p.m. on Christmas Eve.

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| ISLE OF MAN STEAM
PACKET COMPANY | 10/393 | The Town Clerk referred to a recommendation from a Tynwald Select Committee to establish a consultative group with regard to the Isle of Man Steam Packet Company. The terms of reference were referred to and after discussion it was <i>AGREED</i> that the matter be deferred to the next Board meeting for detailed consideration. | |
| PEEL DAY | 10/394 | The Town Clerk referred to Peel Day scheduled for Sunday 5 th June 2011 and indicated that he had received a letter from A3 Island Marquees Limited in which the company had indicated its consent to organise and run Peel Day in 2011. The Town Clerk indicated that he would liaise with Mrs. Atcheson over the Commissioners input to the running of the day. <i>NOTED</i> | PGL |
| 18 BRIDGE STREET | 10/395 | The Town Clerk indicated that under the Building Control Act 1991 the chimney stack on 18 Bridge Street, Peel was in a dangerous condition and required immediate removal. To protect the public Bridge Street had been closed and the owners who resided in Kent were in the process of being contacted to be advised that the chimney stack would be removed and made safe and that the attendant costs would be passed on to them. The Town Clerk indicated that the removal work would be carried out by SGL Construction the following day. | TQ |
| JANUARY
BOARD
MEETING | 10/396 | The Town Clerk indicated that after consultation with the Chairman it had been proposed that the January Board meeting take place on Tuesday 11 th January 2011 at 7.30p.m. As a result of the impending closure of the Town Hall during this period it was <i>AGREED</i> to hire the Corrin Hall for the meeting which would take place at 7.30p.m. and upon a proposal from the Chairman would be preceded by a $\frac{3}{4}$ hour question and answer session for members of the public. | PGL |
| SKATEBOARD PARK | 10/397 | Mr. Gimbert enquired as to whether a further meeting had been arranged by Mrs. O'Halloran, Lead Member of Recreation, with the skateboard representative. Mrs. O'Halloran indicated that Mr. Morgan had gone abroad for a year and the matter had been left with his brother. No progress had been made and it was <i>AGREED</i> that the matter be published in the next edition of the newsletter. | |

- PEEL CHAMBER OF TRADE AND COMMERCE 10/398 Mr. Gimbert referred to his declared intent to stand for the forthcoming House of Keys Election in September 2011 and enquired as to whether the Board thought it appropriate that he continue as Chairman of the Peel Chamber of Trade. He suggested that another Member might take on the role or work in tandem with him. It was *AGREED* that the matter be deferred to the next meeting for further discussion.
- BALLAQUANE ROAD 10/399 Mr. Lace referred to a recent incident when a Mezeron lorry and a bus met on Ballaquane Road and resulted in a blockage of the road for a period of twenty minutes. The Police were involved in resolving the situation. As a result Mr. Lace suggested that Mezeron be written to and asked to avoid the Ballaquane Road as access could be gained to the Heritage Homes building site via Ballig Bridge and the Poortown Road. Members *AGREED* that a letter be sent accordingly. Letter sent
- Arising therefrom Mr. Lace referred to the tree at the Ballaquane roundabout and requested that the roundabout be planted out with appropriate flowers for next year.
- HEALTH SERVICES 10/400 The Chairman referred to two complaints he had received regarding mistaken identity of residents with regard to health services provision. Both persons had the same name and it appeared that the health services had consistently mixed their identities. It was of concern that a subsequent letter to the health services had not elicited a reply. It was *AGREED* that a letter be sent to Mr. Anderson, Minister requesting that the matter be investigated. It was further *AGREED* that a copy of the letter be sent to Mr. Crookall, MHK. PGL
- Arising therefrom Mrs. Moughtin indicated that a similar problem had arisen with her husband and another person with the same surname.
- REMEMBRANCE DAY SERVICE 10/401 Mr. Jones of behalf of the Royal British Legion wished to thank the work of the outdoor staff in preparing the memorial site on Peel Hill in advance of the service on 11th November 2010. This part of the meeting ended at 8.10p.m.
- This part of the meeting ended at 8.10p.m.

