

# GENERAL MEETING

The MINUTES of a GENERAL MEETING held in the Board Room, Town Hall, Derby Road, Peel on Tuesday 7<sup>th</sup> December 2010 at 7.00p.m.

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

Apologies                Mrs. T M Birkett

In attendance            Mr. P G Leadley (Town Clerk)

Action

CHAIRMAN'S WELCOME	10/402	The Chairman welcomed the public to the December meeting and reported that Thelma Birkett had recently had an accident after she had slipped on the ice and wished her a speedy recovery. The Chairman also wished to thank all the staff involved in preparing the street for the Christmas light switch on ceremony together with the Poppy and Carnival Princesses whom had assisted at the ceremony. In conclusion the Chairman was pleased to inform everyone that Peel had won the Best Town/Village category in the Department of Tourism awards for the third year running. Also nominated in other categories were the Tyni Bistro and the Peel Campsite both of which provided a fantastic service.
MINUTES	10/403	The Minutes of the meeting held on 16 <sup>th</sup> November 2010 were taken as read and <i>APPROVED</i> .
LAND TRANSFER	10/404	The Town Clerk referred back to Minute 10/375 and indicated that he had reminded Mr. McLoughlin of Heritage Homes Limited that the Deed of Conveyance for the transfer of land at Ballawattleworth Estate was still awaited. <i>NOTED</i>  Arising therefrom Mr. Lace wished to extend his appreciation to the staff of Heritage Homes Limited who had undertaken the gritting and

clearance of the ice from the estate. *NOTED*

INCOME TAX 10/405 Members noted receipt of a letter from Mr. PGL  
DIVISION TAX 10/405 Members noted receipt of a letter from Mr. Gawne, MHK Minister for Infrastructure regarding the request to bring forward legislation to facilitate easier collection of outstanding rates through Court executions. Mr. Gimbert referred to the letter and stated that the response from Mr. Gawne did not directly address the issue of more effective debt collection. The Chairman suggested that specific examples be referred to the Department for its consideration.

DOUGLAS STREET 10/406 The Chairman referred back to Minute 10/381 PGL  
CAR PARK LAYBY 10/406 concerning the long term future of the temporary layby and requested that it be considered as an agenda item at the next meeting. *AGREED*

MICHAEL STREET 10/407 The Town Clerk referred back to Minute 10/380 and indicated that he had received a letter from Mrs. V A Diver of Market Street, Peel in which she supported the road closure of Michael Street on Saturday from 10.00a.m. till 4.30p.m. The Chairman also tabled a letter from Mrs. Mansell of The Manse, Orry Lane, Peel which also supported the closure.

In response Mr. Gimbert indicated that there were fifteen traders from the street opposed to the extended closure to vehicles. *NOTED*

TREE AND HIGH 10/408 Members noted receipt of a response from the  
HEDGES ACT 2005 10/408 Department of Infrastructure regarding the Commissioners wish not to be responsible for enforcement of the Trees and High Hedges Acts 2005. *NOTED*

ISLE OF MAN 10/409 Reference was made back to Minute 10/393 and Letter  
STEAM PACKET 10/409 the Members gave consideration to the terms of sent  
COMPANY 10/409 reference to a consultative group established by Department of Infrastructure regarding travel issues with particular regard to the Isle of Man Steam Packet Company. Mr. Gimbert indicated that the consultative group held no powers and Mr. Jones suggested that all it did was to provide an extra layer of contact between Government and the public with regard to complaints on travel issues. It was *AGREED* to pass these concerns onto the Department of Infrastructure.

18 BRIDGE STREET 10/410 The Town Clerk referred back to Minute 10/395 and indicated that the necessary work to remove

the chimney stack at 18 Bridge Street, Peel had been undertaken by SGL Construction. Members noted a copy letter sent to Mr. & Mrs. Heaton owners of the property from the Environmental Health Officer concerning this issue. The Town Clerk confirmed that Mr. & Mrs. Heaton would be invoiced for the cost of the removal. *NOTED*

PEEL CHAMBER OF 10/411  
TRADE AND  
COMMERCE

Mr. Gimbert referred back to Minute 10/398 and indicated that as he intended to stand for the House of Keys election in September 2011 he did not wish his position as Chairman of the Peel Chamber of Trade and Commerce to be seen as an electioneering position. It was suggested by Mr. Gimbert that another Member of the Commissioners joined him as Joint Chairman or he carried on as the sole Chairman of the Chamber with the Board's consent. Mr. Jones indicated that he had no problem in Mr. Gimbert carrying on in his position as Chairman and this was supported by Mr. Cushing. The Chairman indicated that he would assist Mr. Gimbert as and when required.

HEALTH SERVICES 10/412

The Chairman referred back to Minute 10/400 and indicated that he had received an email from Mr. McGregor-Edwards, Director of the Health Services with regard to the cases of mistaken identity. It was noted that the matter was being investigated by the Department. The issue of the fact that no recognition had been made of the complaint or a response made was also raised.

LOCAL AUTHORITY 10/413  
RENT INCREASE

Members noted that Government had *AGREED* to increase local authority rents by 5% for 2011/2012. It was also noted that the maintenance allowance had been reduced from 33 ⅓% to 30% of rents receivable. Concern was expressed that no consultation had taken place with local authorities over this change in maintenance funding. It was noted that the next local authority house meeting was scheduled for 6<sup>th</sup> January 2011 and it was *AGREED* that a strong objection be submitted at this meeting by the Lead Member for Housing Mr. Jones.

With regard to the reduction in the maintenance budget it was *AGREED* that the matter be investigated and the effect of the percentage decrease be looked into with regard to its impact on the Town Hall operations.

WESTERN REGIONAL SEWERAGE WORKS	10/414	Mr. Gimbert referred back to Minute 10/373 and wished to indicate that the report that he sought was in fact the environmental screening report required to enable an environmental impact assessment to be undertaken. It was <i>AGREED</i> that this be requested yet again from AECOMM.	Email sent
PEEL DAY	10/415	The Town Clerk indicated that he and the Technical Officer had met with Mrs. Atcheson of A3 Marquees Limited to discuss provisional arrangements for Peel Day to be held on Sunday 5 <sup>th</sup> June 2011. It was noted that the Town Hall would assist in the arrangements for the road closure which would encompass the promenade from Stanley Road and along the Quay to the Creek Inn. In addition the Commissioners would provide such barriers, litter bins and mobile toilets as required. Mrs. Atcheson indicated that initial ideas included a farmers market in the vacant bus station at Atholl Street. In addition there would be a vintage bike display more extensive use of the beach was also visualised. Members noted that the Town Clerk would meet further with Mr. Atcheson on 1 <sup>st</sup> February 2011 and that it would be appropriate to meet with the Commissioners thereafter.	
DERBY ROAD	10/416	Members noted receipt of a letter from the Department of Infrastructure outlining the road works undertaken in Derby Road together with the road condition survey that had taken place in 2009 which indicated that additional works to the road surface was required.	
OAK ROAD	10/417	Mr. Cushing proposed a Notice of Motion  “That the Board use all available measures to ensure that Oak Road, Ballawattleworth is designated a home zone by the Department of Infrastructure”. The Motion was seconded by Mr. Gimbert.  Mr. Cushing indicated that the Department of Infrastructure had disregarded the views of the Commissioners, Ballawattleworth Action Group and residents of the estate in respect of designating Oak Road a home zone. Mr. Gimbert supported the whole estate being designated a home zone as in particular Oak Road properties had no walls, fences or barriers and had not been developed to be used as a	

distributor road. There was a safety issue in his opinion. Mr. Jones had no strong opinion on the matter and felt that there were many other properties in Peel which faced the road without fences or walls. He was however supportive of making the area safer and Mr. Beale was supportive of this but felt that the peripheral roads on the estate did not need to be designated a home zone only Oak Road. Mrs. Moughtin was of the view that the other estate road should be designated a home zone but not Oak Road as it was the main route through the estate and she suggested that appropriate traffic calming measures were the solution. Mr. Lace was concerned that other roads in the Town and particularly referred to Ballaquane Road where two large vehicles would be unable to pass safely. The Chairman referred to the wording of the Notice of Motion and was concerned at the use of the phrase “use all available measures” Mr. Cushing in response indicated that any measure would not be limited solely to a letter or a token protest but could encompass more stronger measures possibly comprising legal advice and input if required. In conclusion Mr. Cushing indicated that Oak Road was not designed as a through road and that he urged Members to support the Motion.

After the matter was voted upon six members were in favour of the Motion with two against. The Chairman therefore declared that the Motion carried.

PLANNING                    10/418  
 APPLICATION FOR  
 THIRTY                    TWO  
 DWELLINGS                –  
 RAMSEY ROAD

Mr. Cushing tabled a Notice of Motion as follows:-

“That the Board uses all available measures to ensure that the planning conditions relating to planning application 02/02106/B (thirty two dwellings, field 311037 off Ramsey Road) are adhered to. Planning conditions include, inter-alia, condition four speed limit arrangements on the A4 Ramsey Road and that the proposed development will become a home zone”. Mr. Gimbert seconded the Motion. Mr. Gimbert proposed an amendment where the word “available” be deleted and substituted with the word “reasonable”. After a show of hands Members *AGREED* to this amendment being included in the Motion.

Mr. Cushing outlined his reasons for tabling the Motion and indicated that the planning conditions attached to the application included its designation as a home zone. On the basis that all the planning conditions were adhered to there would be difficulty in the properties being able to secure mortgages and would therefore be un-saleable. Mr. Jones indicated that he was disappointed that the Government planners were not strongly enforcing the planning conditions proposed on applications and felt that this should be adhered to by the Planning Committee. After a request for a vote it was unanimously *AGREED* that the Motion be carried as amended.

RESIDENTIAL  
DEVELOPMENT

10/419

Members considered a Notice of Motion tabled by Mr. Cushing as follows:-

“That the Board oppose all future residential housing developments of more than five dwellings until a new Western Development Plan is approved”. Mr. Gimbert seconded the Motion.

Mr. Cushing indicated that under the Isle of Man Strategic Plan the west of the island was limited to 1000 new dwellings. This had already be exceeded and he indicated that the appropriate infrastructure was not in place to enable sustainable development in Peel. Mr. Gimbert supported this view that the town’s infrastructure was unable to cope and specifically referred to the road network, schools and medical provision. Mr. Beale indicated that he was unable to support the Motion by limiting development to under five dwellings as he felt that this would penalise smaller developers. Mrs. O’Halloran expressed similar concerns to Mr. Beale and was in favour of the Motion but without a specified number of properties being supported. In her view the matter should be considered on a case by case basis. Mrs. Moughtin referred to the public meeting held a number of years ago in which Government representatives indicated that the infrastructure would be able to cope with the demand for new properties and that particularly referred to the schools and medical provision. She indicated that the Commissioners did not help the situation by opposing the proposed sewage plant for the Town. The Chairman also expressed concern over the reference to five dwellings but was however supportive of the

provision of a new area plan but felt that development should be limited. In response Mr. Cushing indicated that he had provided a limit of five dwellings after having looked at previous planning applications for Peel over a number of years. He indicated that the fifteen year development plan to 2016 had already been exceeded some six years in advance. It was his view that development should now concentrate on other areas of the Island. The Chairman requested that the matter be voted upon and it was found that there were two in favour of the Motion and six against. The Motion therefore failed.

TRAFFIC  
MANAGEMENT

10/420

Mr. Cushing tabled a Notice of Motion as follows:-

“That the Board request the Department of Infrastructure to work with the Board to determine a suitable route for a district distributor road to connect Ramsey Road, Poortown Road, Douglas Road and Glenfaba Road”. Mr. Gimbert seconded the Motion. Mr. Cushing referred to the work undertaken on the Peel Traffic Plan and was disappointed that it did not address cross-town journeys as it was known that Ballaquane Road was not suitable for HGV’s and Oak Road was never designed to be a distributor road.. It was his view that the Commissioners should seek to find a solution to the traffic problems in Peel with the Department of Infrastructure. Mr. Gimbert referred to the Ballagyr Lane and suggested that the only available option now was for a totally new by-pass road away from Oak Road and in this respect he suggested that a route through Ballagyr could be suitable. Mr. Jones suggested that the reality of the situation was that with Government looking to make significant cost savings it was unlikely to approve significant expenditure on a new road. Mr. Beale suggested that as the proposed new road would be in the Parish of German whether there should be communication with German Parish Commissioners. Mr. Lace indicated that in his view the Commissioners should continue to push for a heavy goods vehicle weight limit for the Town. In response Mr. Cushing indicated that the Department of Infrastructure was not currently pressing for a link between the Poortown Road and the main Douglas Road. He

stated that the Ballawattleworth Action Group had looked into the costings for a link road and these could be in the region of £4-5 million. It was his view that the Department of Infrastructure would be able to secure funding if deemed a priority.

The Chairman requested that the matter be voted on and it was found that three Members were in favour of Motion with five against. The Motion therefore failed.

PA 10/00554/B

10/421

Mr. Cushing tabled a Notice of Motion as follows:-

“That the Board uses all available measures to oppose planning application 10/00544/B on the grounds that (i) the application exceeds the number of dwellings required under the Island Strategic Plan 2007 and (ii) the proposed sewage works are an industrial activity and the land is zoned for residential use”.

Mr. Cushing requested that this Motion be withdrawn. This was *AGREED* by the Board Members.

STANDING ORDERS

10/422

Mr. Gimbert submitted a Notice of Motion as follows:-

“I would like to propose an amendment to Standing Order 5(a)” Notice of Motion relating to new business, not already before the Commissioners, stating the precise object proposed shall whenever circumstances permit, be given to the Town Clerk or his designated deputy either electronically or in writing at least seven clear days before the statutory meeting of the Commissioners, and the Town Clerk shall insert the whole Notice of Motion and name of the proposer which is been given in the summons for each statutory meeting”. The Motion was seconded by Mr. Cushing. Mr. Gimbert indicated that his proposed amendment was more in line with modern practice as emails were now commonly used. The Chairman indicated that he would not be supportive of the Motion as he objected to the current Standing Orders being amended on an ad-hoc basis and felt that the whole of the Commissioners Standing Orders required review. He indicated that there was a minor error in paragraph 7 (d)



and also suggested that the current structure of the Commissioners involving the Regeneration Committee needed consideration. Mr. Cushing also indicated that the Standing Orders needed review but suggested that as this Motion was only a minor amendment he was supportive of it. The Chairman requested that the Motion be voted on and it was found that there were two in favour with six against. It was also indicated that the Standing Orders be reviewed in totality at a later date.

PLANNING  
APPLICATIONS FOR  
COMMENT

10/423

The following planning applications were Letter  
consideration for comment as follows:- sent

10/01641/CON

Registered Building consent for internal alterations to the Court Clergy Vestry, electrical re-wiring and installation of lighting scheme to the main body of the Cathedral and installation of kitchen facilities to the North Transept. Registered Building Nos. 204 St Germans Cathedral Derby Road, Peel. *RECOMMENDED FOR APPROVAL*

10/01662/B

Installation of replacement windows, 54 Patrick Street, Peel. *RECOMMENDED FOR APPROVAL*

10/01665/B

Creation of an enclosed porch, 22 Magher Drine, Peel. *RECOMMENDED FOR APPROVAL*

10/01692/B

Alterations and roof extension to provide additional living accommodation, The Oasis, Ballaquane Road, Peel. *RECOMMENDED FOR APPROVAL*

PA 10/01742/B Blocking up side elevation doorways 1 – 2 Rearyt Aalin, Peel. *RECOMMENDED FOR APPROVAL*

PA 10/01743/B Blocking up side elevation doorways 7 – 8 Rearyt Aalin, Peel. *RECOMMENDED FOR APPROVAL*

PA 10/01744/B Blocking up side elevation doorways, 14 – 15 Rearyt Aalin, Peel. *RECOMMENDED FOR APPROVAL*

PLANNING  
DECISIONS  
NOTIFIED

10/424

PA 10/01747/B Erection of a single storey extension to side elevation, 6 Creggans Avenue, Peel. *RECOMMENDED FOR APPROVAL*

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

PA 10/01571/B Erection of a glass balustrade at rear of property, 60 Patrick Street, Peel for Mrs. Jane Tatchell. *APPROVED*

PA 10/01267/B Restoration works to dwelling, 24 Castle Street, Peel for Mr. & Mrs. Kevin Barbet. *APPROVED*

PA 10/01552/B Erection of a garden equipment stores (retrospective), Lleany Voar, Ballaquane Road, Peel for Mr. & Mrs. S Marshall. *APPROVED*

PA 10/01582/B Erection of conservatory to rear elevation, 9 St Patrick View, Peel for Mr. Steven Raymond Dallimore. *APPROVED*

PA 10/01349/B Erection of garage with conservatory over (retrospective), Old Shipyard, Mill Road, Peel for The Estate of the late Cyril Cannell. *APPROVED*

PA 10/01496/B Creation of a vehicular access and off road parking, Belle Vue House, Belle Vue, Peel for Mr. Peter James Michael Hollingworth. *APPROVED*

PA 10/01362/B Installation of replacement windows and front door, 24 Church Street, Peel for Mr. N W Mitchell. *REFUSED*

PA 10/01475/B Installation of replacement windows (retrospective), 5 Market Place, Peel for Colefax Limited. *REFUSED*

ADVERTISING  
SIGNS

10/425

Consideration was given to a request from the Chairman that the Centenary Centre be permitted to place advertising A board signs on the harbour side. He indicated that a sign had been placed there and had been requested to be taken down as it caused an obstruction. A general discussion ensued over the licensing of A board advertising signage and it was felt important to arrange a mechanism to formalise the arrangements under licence. Reference was also made to notices

placed on railings. The Chairman suggested that there was a need for regulation in this area and Mr. Cushing suggested that there was a need to exercise care and not to be too restrictive like some other local authorities. Mrs. Moughtin enquired as to whether advertising displays on the Quay came under Harbour Division control.

In concluding the discussion Members *AGREED* that the issue needed further investigation.

- |                         |        |   |             |
|-------------------------|--------|---|-------------|
| TOURISM AWARDS          | 10/426 | The Chairman advised Members that Peel had for the third year running been awarded the Tourism Award for Best Town/Village. In addition the Commissioners campsite had also been nominated in its category. It was <i>AGREED</i> that the success of the Town in winning this prestigious award be publicised on the new notice boards and the Commissioners website. It was also <i>AGREED</i> that it be included in the next Commissioners Newsletter.   |             |
| FESTIVE MUSIC           | 10/427 | Consideration was given to a letter from Mrs. Corlett of Michael Street, Peel in which she complained about the volume and duration of the festive music piped into Michael Street. Mr. Jones suggested that the Town Warden be tasked with investigating the matter in terms of the level of noise. The Chairman indicated that the traders supported the provision of festive music at this time and that it could be regulated if needed. Comment was made that a greater variety of festive songs was required. | Letter sent |
| PORT ERIN CAROL SERVICE | 10/428 | Members noted an invitation to the Port Erin Annual Carol Service to be held in St. Catherine's Church, Church Road, Port Erin on 16 <sup>th</sup> December 2010 at 7.00pm.   |             |
| NEW PLAY AREA           | 10/429 | Members noted confirmation from Heritage Homes Limited that it would contribute £10,000 towards the provision of a new play area to be constructed at the Clothworkers School.  |             |
| IRIS SCHEME             | 10/430 | Mr. Gimbert referred to an item in the Manx Independent Northern news section from the 26 <sup>th</sup> November 2010 regarding the next phase of the IRIS scheme. Mr. Sweeney from AECOMM had indicated that Port Mooar was classed as a bathing beach and that effluent discharge consent set by the Environmental Protection Unit would be difficult to meet even with a modern  |             |

treatment plant. Arising from this statement Mr. Gimbert sought permission to write to the Chairman of the Water and Sewerage Authority seeking clarification of this statement and how it impacted upon the designation of Peel Beach as a bathing beach. Mr. Gimbert indicated that on the basis of figures provided for the North on a like for like basis just under £80 million would be appropriate to be expended on the Western sewage treatment works. Mr. Gimbert enquired as to why Peel received the cheapest option in terms of sewage provision.

The Chairman referred to the earlier meetings through the summer months when the costings had been investigated and discussed at length. He reminded Members that input had been sought from them to enable a response to the Water and Sewerage Authority. He requested that Members submit their views on this matter by the next meeting scheduled for 11<sup>th</sup> January 2011.

Mr. Jones indicated that it always appeared that Peel Commissioners were adopting a negative attitude and he suggested that concern should be raised at the appropriate time and in a proper manner.

CHIROPODY 10/431  
PROVISION IN PEEL

The Town Clerk indicated that he had received a letter from Mrs. Thomson of The Battery Road, Peel in which she was disappointed at the loss of the chiropody service in Peel. Mr. Gimbert indicated that he had looked into this matter and queried as to the new medical centre being built why the chiropody provision should be not reinstated. *NOTED*

NEW YEARS DAY 10/432  
DIP

The Town Clerk indicated that a request had been received from Greens Jewellers for permission to organise the charity collection on the occasion of the new years day dip. It was noted that the charity collection would benefit the Peel Lifeboat, Multiple Sclerosis and Sailing for the Disabled. Members *AGREED* to permit the collection accordingly.

Letter sent

PEEL CAMPSITE 10/433

The Town Clerk referred to a request from 1<sup>st</sup> Douglas Scout Group to hold a block camp booking in the back field of the campsite over the weekend of 20<sup>th</sup> to 22<sup>nd</sup> May 2011. Members had no objection to the scouts and cubs using the

campsite on this occasion.

STREET LIGHT                      10/434                      Mr. Gimbert referred to the street light that was                      TQ  
currently serving the new development being  
built by Heritage Homes Limited. It was noted  
that three properties were complete and ready for  
habitation. The Town Clerk indicated that he  
had been advised that the cost of one light over a  
twelve hour period was in the region of 6p per  
night. The Chairman suggested that in terms of  
goodwill this light be left on. Mr. Gimbert  
referred to the three properties that had been  
completed and enquired as to how sewage was  
dealt with bearing in mind that this still needed  
resolution under the planning appeal process. It  
was *AGREED* that the matter be investigated by  
the Technical Officer.

WESTERN                      CIVIC                      10/435  
AMENITY SITE                      Mr. Gimbert referred to the recent press article  
on the front page of the Isle of Man Examiner  
which related to staffing costs at the Western  
Civic Amenity Site. Mr. Gimbert was concerned  
that he had been accused of a malpractice being  
operated by the Peel Authority in respect of staff  
wages. He indicated that Mr. Holmes, Secretary  
to the employee side of Whitley Council was  
incorrect in referring to the Amenity Site being  
operated by Peel. The Western Civic Amenity  
Site was operated by a number of Western local  
authorities of which Peel was one. Mr. Gimbert  
strongly objected to the article which referred to  
a malpractice on his part and he had sought legal  
advice on this matter. He indicated that the  
union had its facts wrong and he requested that  
the Board write to Mr. Holmes concerning this  
matter.

The Chairman indicated that this press article  
had appeared in the Examiner prior to being  
discussed at the November meeting and he was  
concerned that Board communication such as  
this should properly go through the chair and not  
appear in press without prior Board approval but  
that individual member were free to make their  
own comments to the press as long as it was  
made clear that it was their personal view point  
being communicated. Messrs Jones, Lace and  
Moughtin expressed support for this view point  
and Mrs. Moughtin also indicated that by raising  
this matter publicly before full discussion the  
matter had been counter-productive. *NOTED*

WESTERN TRAFFIC 10/436 Mr. Lace referred to the earlier decision of the PGL  
MANAGEMENT Department of Infrastructure to install traffic  
GROUP mirrors at Mount Murray and indicated that this  
had still not been completed. It was *AGREED*  
that the matter be checked out with the  
Department of Infrastructure accordingly.

REMEMBRANCE 10/437 The Chairman requested that for next year PGL  
SUNDAY arrangement be made to ensure a maroon rocket  
was fired to mark the commencement of two  
minutes silence on Armistice Day. The Town  
Clerk indicated that an appropriate rocket would  
be purchased when the fire works display was  
ordered.

Arising therefrom it was also *AGREED* that the  
new trees to be planted at the memorial site on  
Peel Hill would be protected with appropriate  
tree guards and that an area be established to  
receive the wreaths on the 11<sup>th</sup> November.

CASTLE STREET 10/438 The Chairman referred to the defective street TQ  
GARDENS light in Castle Street Gardens and having regard  
to the fact that this solar panel light could not be  
repaired it was *AGREED* that the light column  
be removed.

This part of the meeting ended at 8.45p.m.

