

# GENERAL MEETING

The MINUTES of a GENERAL MEETING held in the Boardroom, Town Hall, Derby Road, Peel on Tuesday 21<sup>st</sup> February 2012 at 7.00p.m.

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

Apologies        Mrs. T M Birkett  
                      Mr. D J Lace

In attendance    Mr. P G Leadley (Town Clerk)

Action

CHAIRMAN'S        11/631    The Chairman welcomed the press and public  
WELCOME            to the second meeting of February.

MINUTES            11/632    The Minutes of the 7<sup>th</sup> February 2012 were  
                          taken as read and *CONFIRMED*.

Mr. Gimbert requested that Minute C11/437 regarding the Regeneration Scheme be moved from the "In Committee Minutes" to the public Minutes. This was *AGREED*

*"Mr. Harmer reported upon the current position regarding the regeneration scheme for Peel and indicated that following a recent meeting with the Western Regeneration Committee subsequent approval had been given by the Steering Committee for a pilot Wi-Fi scheme to be undertaken in Peel prior to rolling out to other towns. The funding for this scheme was subject to the Commissioners meeting maintenance costs for the provision of Wi-Fi for a five year period. NOTED*

*Mr. Harmer reported that the main Commissioners scheme application had been approved for progression with the Steering Committee and that Prescott Associates of St. Johns would be overseeing the scheme which would entail two pilot areas being undertaken-namely at The Creek Inn and the Marine Hotel. In addition wayfaring signs would be provided*

*in advance of the main part of the scheme involving the link to the Market Place and Michael Street from the harbour and promenade. The Regeneration Committee was also looking at the provision of public art and a sub-committee had been formed to progress this.*

*It was AGREED to discuss the scheme in more detail at the next meeting.”*

REARYT NY CRONK  
PLAY AREA                      11/633      The Town Clerk referred back to Minute 11/604 and tabled proposals from two playground manufacturers namely SMP Playgrounds and Broxap Limited. Detailed costings were awaited from the suppliers but discussion ensued over the suggestion that alternative items of equipment be recommended to the Planning Department contrary to the proposals made by Heritage Homes Limited. Mr. Harmer favoured a playground aimed at the older child however Mr. Gimbert with the support of Mr. Jones suggested that play equipment aimed at the younger age group should be sought. It was *AGREED* that matter be considered further at the next meeting of the Board.

RAMSEY ROAD  
DEVELOPMENT                      11/634      The Town Clerk referred back to Minute 11/605 and indicated that an email had been sent to Mr. Cretney, MHK, Minister for Infrastructure requesting a meeting to discuss the McLeods field housing development together with planning enforcement and planning infrastructure changes. Discussion ensued on whether third parties be invited to attend the meeting and after due consideration it was deemed that the meeting should be with Mr. Cretney and Mr. Crookall, MHK only.

LOCAL GOVERNMENT  
PENSION SCHEME                      11/635      Reference was made back to Minute 11/608 and Members noted the response from Mr. Corlett of the Department of Infrastructure indicating that individual consultation with current scheme members would not be undertaken. Mr. Gimbert continued to express his concern at this stance and it was *AGREED* that a letter expressing the Board's disappointment be sent to the Minister, Mr. Cretney.

The Town Clerk advised that Douglas Corporation had organised a members briefing

for the scheme changes scheduled for 20<sup>th</sup> and 22<sup>nd</sup> February 2012 at the Strathallan Suite, Douglas Promenade from 6pm to 8pm.  
*NOTED*

BALLAQUANE  
ROUNDAABOUT

11/636 The Town Clerk referred back to Minute 11/629 and advised that the traffic mirror for pedestrians at the Ballaquane roundabout had been raised at a recent meeting of the Western Traffic Management Group. It appeared that the mirror had not yet been installed but was on the works schedule for the Department.

RATES

11/637 Upon enquiry from Mr. Gimbert with regard to Minute 11/603 it was *AGREED* that the Town Clerk contact Mr. Crookall, MHK to ascertain the current position regarding the review of debt collection procedures by the Chief Secretary's Office.

CAPITAL PROCEDURES  
ADVERTISING

11/638 Mr. Gimbert referred back to Minute 11/610 and indicated that there would be a need to amend Standing Orders to cater for the change to advertising procedures in respect of capital contracts. It was *AGREED* that a draft amendment be prepared for consideration in due course.

BALLAWATTLEWORTH  
ACTION GROUP

11/639 Mr. Beale referred back to Minute 11/612 and report that both he and Mr. Gimbert had investigated the allegation made by the Ballawattleworth Action Group concerning Peel Town Commissioners with regard to the roadside verge in the vicinity of the recently constructed roundabout on the Ramsey Road. A meeting had taken place on 16<sup>th</sup> February 2012 at which it was noted that a meeting of the Works Committee on 16<sup>th</sup> September 2002 had discussed the request of Construction Design Limited with regard to the housing development at McLeods field and the subsequent provision of a roundabout. The Works Committee indicated support for the provision of a new housing estate on this land and noted that the roundabout would require part of the amenity verge on the Ramsey Road and the entrance to Rearyt Aalin being re-aligned. No reference had been made as to ownership of the verge. Mr. Beale tabled a draft response to the Ballawattleworth Action Group letter, including Minute C02/223 and the Board *AGREED* that it be sent accordingly. Mr. Beale confirmed that the allegation made by

the group was unfounded and that the Commissioners had no case to answer.

ROAD TRAFFIC  
REGULATION ACT 1985

11/640 Members noted receipt of the following orders:-

The Town of Peel (Speed Limit) (Variation) (No 2) Order 2012. This draft Order revoked the existing speed limit and created a new 20mph speed limit on various roads in Peel.

The Peel (Various Roads) (Reserved Parking Places) (Revocation) Order 2012. This draft Order revoked and removed a reserved parking place on a section of Castle Street, Peel.

The Board had no objection to either of these two draft Orders.

Members noted an approved traffic order entitled Derby Road (Peel) (Temporary Suspension of Parking Places) Order 2012 which would come into operation on 2<sup>nd</sup> March 2012 and would temporarily suspend parking on the south side of that section of Derby Road adjacent to 3A Derby Road to a point adjacent to the Town Hall whilst demolition work took place.

STREET CLEANING  
AGREEMENT

11/641 Reference was made to a draft agency agreement between the Department of Infrastructure and the Commissioners in respect of street cleaning. The revised agreement included new provision for the Commissioners to undertake weed spraying. The Town Clerk indicated that the draft forwarded to the Commissioners with the agenda had been amended slightly subsequent to a meeting between the Town Clerk, Technical Officer and Mr. Corlett of the Department.

It was *AGREED* that the updated draft be considered at the next Board meeting for approval.

WESTERN TRAFFIC  
MANAGEMENT GROUP

11/642 The Town Clerk indicated that both he and Mr. Lace had attended a meeting of the Western Traffic Management Group on 15<sup>th</sup> February 2012. It was noted that the second phase of the Peel Traffic Plan entailing the creation of a one way system down Glenfaba Road and Patrick Street would be implemented before Easter.

Residents would be advised by a letter drop of the proposals. In addition the provision of traffic cushions on West View in the vicinity of the play park was discussed as this area was likely to see an increase in traffic. *NOTED*

The Group had also considered a proposal for the provision of a new roundabout at the Albany Road/Tynwald Road junction. Due to constraints on size it had been decided that a roundabout would not be possible at this location.

The Town Clerk also advised that the Department of Infrastructure intended to recall the “smiley traffic signs” which in future would be held, maintained and allocated under the Department’s control. Mr. Gimbert asked that it be confirmed as to ownership from previous minutes and what spares had been purchased on the rates.

The group was also looking in conjunction with the Police to establish whether there was sufficient space to provide a disabled parking space in front of the Police Station.

The Town Clerk reported that the Department had undertaken a speed count on Clover Avenue and as the speeds were relatively low it was unlikely that a speed cushion would be installed.

Upon enquiry from Members it was *AGREED* that the Town Clerk make enquiries of the Department as to the likely timescale for the provision of chevron parking on the promenade.

## DOG FOULING

11/643 Members considered an email from Mr. Jones concerning the ongoing problems of dog fouling and it was noted that from research Mr. Jones had undertaken the traditional method of enforcement and fines was inadequate on its own to solve the problem. Mr. Jones suggested that there was need for a co-ordinated approach with other local authorities and Central Government, Police and schools to educate the general public on the necessity of clearing up after dogs had fouled. The Board was supportive of Mr. Jones’s proposal and it was *AGREED* that Mr. Jones and Mr. Gimbert raise the issue at the next meeting of the Municipal

Association.

PLANNING  
APPLICATIONS FOR  
COMMENT

11/644 The following planning applications were Letter  
considered for comment as follows:- sent

12/00114/B Installation of car park lighting,  
QE11 High School, Douglas Road, Peel.  
*RECOMMENDED FOR APPROVAL*

12/00122/B Installation of replacement  
windows to front elevation, Marina Cottage 17-  
18 Shore Road, Peel. *RECOMMENDED FOR  
APPROVAL.*

12/00129/B Replace existing garage door with  
a window, 15 Maple Avenue, Peel. After  
discussion it was *AGREED* by four votes to  
three to *RECOMMEND REFUSAL* of this  
application due to the loss of a garage and  
subsequent off road parking facility.

12/00184/B Creation of temporary construction  
access to serve residential development  
approved under PA 10/00544/B (retention of  
access approved under) 10/00665/B part of  
field 315097 Poortown Road, Peel.  
Considerable discussion was held and the  
Board expressed reservations but  
*RECOMMENDED FOR APPROVAL.*

Arising therefrom Mr. Gimbert referred to the  
housing development of 101 properties at  
Rearyt ny Cronk by Heritage Homes Limited  
and expressed his concern that whilst a  
retrospective planning application had been  
made the company was still using the entrance  
into the site pending a decision of the Planning  
Committee. It was *AGREED* to request that the  
Planning Enforcement Officer look into this  
matter further. Arising therefrom Mr. Jones  
commented that it appeared the Commissioners  
were regularly finding fault with Heritage  
Homes Limited planning applications and  
suggested that such a stance was not conducive  
to a good working relationship with this  
developer. Mrs. O'Halloran indicated that she  
had not objection to the Commissioners stance  
and whilst she was in favour of sustainable  
development it should be undertaken in the  
correct manner. Mr. Gimbert indicated that his  
concerns were aimed at the lack of planning  
enforcement and not at the developer. The  
Chairman concluded by indicating that it was

important for the Commissioners to work together with Heritage Homes Limited but at the same time the company if it wanted better relations with the local community should adhere to planning conditions imposed on their planning approvals.

12/00158/B Proposed extension to rear to form family room, 32 Ballellis, Ballawattleworth Estate, Peel. *RECOMMENDED FOR APPROVAL.*

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|--------------------------------------------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FORMER SWIMMING<br>POOL – MARINE<br>PARADE | 11/645 | The Town Clerk referred to work undertaken to create a recreational amenity area at the former swimming pool site and reported that the Planning Officer had indicated that a retrospective planning application was likely to be required in respect of the wall built at this site. An application would be submitted by the Technical Officer if required. The Chairman apologised on behalf of the Board to the town for having to submit a retrospective application. The Commissioners would face the same penalties as Heritage Homes Limited for any failure to follow planning requirements. |
| EASTER ATHLETICS<br>FESTIVAL               | 11/646 | Consideration was given to an email from Mr. Littler regarding the Easter Athletics Festival and the fact that Mr. Ron Hill a veteran runner would be taking part in the Peel Hill Race on Easter Saturday. It was suggested whether this occasion be marked in some way by the Commissioners. It was <i>AGREED</i> that the Chairman and Mr. Harmer discuss the presentation of a small memento to Mr. Hill.                                                                                                                                                                                         |
| LIEUTENANT<br>GOVERNOR’S VISIT             | 11/647 | Members noted receipt of a letter of thanks from the Lieutenant Governor His Excellency Mr. Adam Wood dated 27 <sup>th</sup> January 2012 regarding his recent visit to Peel.                                                                                                                                                                                                                                                                                                                                                                                                                         |
| FLAG DAY                                   | 11/648 | Consideration was given to a request from the Peel Branch of the Royal National Lifeboat Institution which wished to hold a flag day in June 2012. The letter omitted to include the specific date although it was thought to be the Sunday prior to the commencement of the TT Races. Mrs. O’Halloran agreed to ascertain the exact date and it was noted that the Board would have no objection although Mr. Gimbert suggested that Mrs. Atcheson of A3 Marquees who would be organising the entertainment on 3 <sup>rd</sup> June may wish to raise funding herself. It                            |

was noted that the matter would be discussed at the next meeting of the Peel Chamber of Trade. The Chairman indicated his support for the RNLI flag day in this respect.

TREES AND HIGH  
HEDGES ACT

11/649 Following the matter being raised at the previous meeting reference was made to the provisions of the Trees and High Hedges Act 2005 with particular regard to overgrown hedging that impacted upon pavements. Mr. Gimbert indicated that when this new Act was being discussed the Commissioners had decided not to become involved in its administration, but felt that it would benefit Peel if this Act was utilised. Mr. Jones indicated that there was alternative legislation to deal with the problem of overgrown hedges on the curtilage to properties. Mr. Jones undertook to liaise with the Town Clerk accordingly.

ST GERMAN'S  
CATHEDRAL

11/650 The Town Clerk referred to the re-wiring works taking place at St. German's Cathedral and reported that the contractor Stephen Christian Limited had indicated that a mains electricity cable would have to be laid underground from the Cathedral down Derby Road across Atholl Place and up Christian Street into the electric sub-station at the rear of the Christian Street car park. It was noted that the work would take approximately one week and whilst normal traffic would be able to proceed the buses would have to be re-routed. It was noted that the contractor had liaised with the bus company over this issue.

STATUTORY  
DOCUMENTS  
CONSULTATION

11/651 Members considered a consultation document on proposed amendments to various statutory documents. The Commissioners had no comment to make on the consultation document.

FINANCIAL SERVICES  
OMBUDSMAN SCHEME

11/652 Members noted a consultation document from the Isle of Man Office of Fair Trading regarding proposals to increase the maximum award limit under the Isle of Man Financial Services Ombudsman Scheme from £100,000 to £150,000. Members had no comment to make on the consultation document.

ROAD TRANSPORT  
REGULATIONS 2012

11/653 Members considered a consultation document on amendments to the Road Transport Regulations 2012. Reference was made to the



provision of clamping vehicles and subsequent fines. The Chairman was concerned that this may result in private contractors undertaking clamping of vehicles similar to the position in the United Kingdom. Members noted the consultation document and had no comment to make.

PEEL SECRET GARDENS 11/654 The Town Clerk referred to a request from Peel Heritage Trust for permission to obtain a street traders licence on 14<sup>th</sup> and 15<sup>th</sup> July 2012 so that a Trust stall could be set up in the Market Place shelter selling plants and programmes. It was *AGREED* to issue a street traders licence as requested. Letter sent

MOBILE LIBRARY 11/655 The Town Clerk referred to receipt of a letter from Mrs. Horton, Ward Librarian regarding the recent Government announcement over the closure of the family library and the mobile library service. It was *AGREED* that the letter be considered in detail at the next meeting prior to a possible response to the closures.

LOCAL AUTHORITY ELECTION 11/656 The Town Clerk referred to the Local Elections Act 1986 and indicated that under Section 2(2) the Board was required to appoint a Returning Officer. It was *AGREED* that the Town Clerk be appointed as Returning Officer for this election.

IRIS CAR PARK – PROMENADE 11/657 The Town Clerk referred to an email from a Mr. R Hall of 36 Castle Street, Peel. Mr. Hall’s rear garden adjoined the IRIS car park and permission had been given by the Commissioners previously for him to demolish his rear wall to enable the creation of a car parking space within his garden. Email sent

The Town Clerk indicated that Mr. Hall was currently selling his property and the proposed purchaser had enquired as to the right of way across the car park. The Board discussed the issue and were not prepared to offer a legal right of way or easement as it did not wish to bind a future Board should the Commissioners car park be developed at some point in the future. After discussion it was *AGREED* that the Town Clerk issue a letter of comfort indicating that whilst no permission would be given for a legal right of way, the Board had no plans at the present time to develop the car park.

STATEMENT FROM  
MRS. MOUGHTIN

11/658 Mrs. Moughtin wished to make a public statement on her frustration at the political leaders of the Manx Government during what were difficult financial times. Mrs. Moughtin referred to the loss of pre-school children facilities and the cost of consultancy fees to Government. In looking to make savings she felt consultancy fees paid to third parties could be cut back significantly by Central Government. Mrs. Moughtin felt that Government should return responsibilities to local authorities such as first stage planning which in her view would result in a more efficient and cheaper provision of service. The Chairman applauded Mrs. Moughtin's statement although recognised it introduced no new business to the Board. Mr. Gimbert indicated that of the top three spending Departments, Health Services, Social Care and Education, the only Department that had made year on year cuts was the Department of Education. Mr. Gimbert reported that the Minister for Infrastructure had stated in Tynwald that he was looking to reform local authorities, therein, Mr. Gimbert suggested that the shortfall in VAT that was required to be made up by the Manx Government was not as significant as publicly stated and that this point should be uppermost in Commissioners minds when the Department of Infrastructure sought reform of local authorities. Mr. Harmer supported Mrs. Moughtin's statement and expressed his deep concern at the Department of Education cuts to pre-school provision. It was his view that this year's Government budget was anti-family and referred to the cuts in family allowance made by the Treasury Minister.

It was *AGREED* to seek a meeting with the Minister for Education Mr. P Karran, MHK to discuss nursery provision in Peel.

JET-SKIS  
PEEL BAY

11/659 Mr. Gimbert referred to the statement from the Harbours Division regarding the provision of a suitable public notice regarding jet skis in Peel Bay. A complaint had been made over the absence of the sign and it was *AGREED* to request the Harbours Division to erect the sign. Email sent

REGENERATION  
SCHEME

11/660 Mr. Gimbert referred to the provision of Wi-fi in certain public areas of the Town and

indicated that whilst the Board had previously undertook to fund one year's maintenance and running costs the offer had subsequently been made on the basis of a five year commitment. This was *AGREED* by the Board and it was suggested that future running costs could be investigated to enable the service to run on a cost neutral basis. Mr. Gimbert indicated he would refer to this matter in greater detail at the next Board Meeting.

WESTERN CIVIC AMENITY SITE	11/661	Mr. Beale as Chairman to the Western Civic Amenity Site Committee indicated that Patrick Parish Commissioners had undertook to be the nominated employing authority in terms of the Western Civic Amenity Site. This however was subject to any specific costs being met and shared by the five participating authorities. Reference had also been made to any possible claim under employers liability insurance and after discussion it was <i>AGREED</i> that Mr. Beale seek to arrange a meeting at which the Chairman and Clerks to the five participating authorities together with the members of the Western Civic Amenity Site Committee meet to discuss these issues.	
HERITAGE SIGNS	11/662	Mr. Harmer referred to the provision of three heritage signs by Peel Heritage Trust and it was <i>AGREED</i> that the Technical Officer liaise with Mr. Bates of Peel Heritage Trust regarding the erection of the signs that would require the Commissioners logo.	TQ
BEACH CLEAN	11/663	Mr. Harmer advised that a public beach clean would take place on 31 <sup>st</sup> March 2012 at 10.00.a.m.	
DOCTORS SURGERY	11/664	Mr. Harmer enquired as to the current waiting times with regard to members of the public seeking appointments at the Peel Medical Centre. It was <i>AGREED</i> that a letter be sent to the Practice Manager enquiring as to the present waiting times for appointments.	Letter sent
STANDING ORDERS	11/665	The Chairman enquired whether the Commissioners current set of Standing Orders could be put on line. The Town Clerk undertook to arrange this in due course.	completed
LITTER/DOG BIN	11/666	The Chairman requested the provision of a litter/dog bin at the entrance to Ballatessan Meadow. <i>AGREED</i>	PGL

This part of the meeting ended at 8.40p.m.