

GENERAL MEETING

The MINUTES of a GENERAL MEETING held in the Boardroom, Town Hall, Derby Road, Peel on Tuesday 6th March 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
 Mr. D J Lace
 Mrs. C A Moughtin

Apologies Mrs. T M Birkett

In attendance Mr. P G Leadley (Town Clerk)
 Mr. J T Quayle (Technical Officer)

Action

CHAIRMAN'S WELCOME	11/667	The Chairman welcomed the press and Mr. Crookall, MHK to the first meeting of March 2012.
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MINUTES	11/668	The Minutes of the meeting held on 21 st February 2012 were taken as read and <i>CONFIRMED</i> subject to an amendment of Minute 11/645 where the following sentence was included at the end of the Minute
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“The Commissioners would face the same penalties as Heritage Homes Limited for any failure to follow planning requirements.”

REAYRT NY CRONK PLAY AREA	11/669	Members considered two proposals for play equipment at the new Rearyt ny Cronk play area namely from SMP Playgrounds Limited and Broxap Limited. After consideration of the two proposals Members by a majority favoured the SMP Playgrounds Limited proposal and it was <i>AGREED</i> to advise the Planning Office of the Commissioners preferred option. It was noted that this play area formed a condition as part of Heritage Homes Limited planning approval for the estate
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development.

RAMSEY ROAD DEVELOPMENT	11/670	Reference was made back to Minute 11/634 and it was noted that Mr. Cretney, MHK Minister for the Department of Infrastructure had responded and indicated that a meeting would have to be deferred pending the Departments' planning enforcement investigations. Mr. Gimbert queried the current position regarding investigation into the planning enforcement aspect of this development and it was <i>AGREED</i> that the matter be pursued further with the Planning Enforcement Officer.	PGL
CAPITAL PROCEDURES ACT ADVERTISING	11/671	Reference was made back to Minute 11/638 and it was <i>AGREED</i> that the Town Clerk prepare a draft amendment to the Standing Orders for consideration by the Board at the Annual General Meeting on 1 st May 2012.	
STREET CLEANING AGREEMENT	11/672	Members considered the amended draft Street Cleaning Agreement and the Technical Officer advised that the amendment related to the additional provision of weed spraying by the Commissioners staff on a recharge basis to the Department of Infrastructure. The Technical Officer confirmed that the same hours of work would apply and that the Commissioners labour costs had been worked out on an annual basis. It was noted that there would be budget implications if the Department required additional changes to the agreement.	
WESTERN TRAFFIC MANAGEMENT GROUP	11/673	<p>The Town Clerk referred back to Minute 11/642 and reported that the "smiley traffic signs" were wholly owned by the Department of Infrastructure and that the Commissioners had not incurred any costs in purchasing spare parts. <i>NOTED</i></p> <p>Arising therefrom Mr. Lace referred to the Peel Traffic Plan with consequent changes to various one way roads and indicated that the Post Office needed to be advised of future developments with regard to the traffic plan as it affected the postal routes within Peel.</p>	

DOG FOULING	11/674	Mr. Jones referred back to Minute 11/643 and reported that there had been insufficient time to raise the issue of dog fouling at the recent meeting of the Municipal Association. It was noted that dog fouling would be placed on the agenda for the next meeting of the Association. <i>NOTED</i>	AGJ
MOBILE LIBRARY	11/675	<p>Consideration was given to a letter from Mrs. Horton the Ward Librarian regarding concerns and disappointment over the government closure of the family library and mobile library service run by the Department of Education.</p> <p>Mr. Harmer fully supported the views expressed in the letter and indicated his concern at the lack of consultation by the Department over such important matters as the closure of these facilities. In his opinion the closure would affect vulnerable people and the decision to close the service was ill advised.</p> <p>Mr. Gimbert indicated that the matter had been raised at the recent meeting of the Municipal Association and reference had been made to the impact on the local parish authorities together with the Westlands Complex. It was suggested that if local authorities were prepared to share the cost consideration might be given to exploring whether these library services could be operated by local authorities jointly.</p> <p>In conclusion it was <i>AGREED</i> that a letter be sent to Mr. Karran, MHK, Minister for Education expressing the Commissioners concern at the loss of this facility and its likely adverse impact on the community. It was further <i>AGREED</i> to indicate that subject to a co-operation from local authorities then the possibility of the service being provided at a local level subject to investigation into costs could be considered.</p>	Letter sent
WESTERN CIVIC AMENITY SITE	11/676	Mr. Beale referred back to Minute 11/661 and requested that it be held over	

to the next meeting scheduled for 20th March 2012. *AGREED*

BALLAQUANE ROUNDAABOUT	11/677	Reference was made back to Minute 11/636 and it was reported that the traffic safety mirror had not yet been installed at the Ballaquane roundabout to assist pedestrians. It was <i>AGREED</i> that a reminder be forwarded to the Department to try and speed up this matter on the grounds of pedestrian safety.	Reminder sent
FORMER SWIMMING POOL- MARINE PARADE	11/678	The Technical Officer referred back to Minute 11/645 and reported that a retrospective planning application had been submitted to the Planning Committee two weeks previously. <i>NOTED</i>	
EASTER ATHLETICS FESTIVAL	11/679	Mr. Lace referred back to Minute 11/646 and indicated that he had in his possession one of the Commissioners memorial plaques. It was <i>AGREED</i> that this be presented to Mr. Hill on the occasion of the Peel Hill Race on Easter Saturday. Arising therefrom it was <i>AGREED</i> that the Town Clerk obtain prices for the cost of a replacement supply of town plaques.	DJL/PGL
LIEUTENANT GOVERNOR'S VISIT	11/680	Mr. Lace referred back to Minute 11/647 and wished to place on record his thanks to Mrs. Jane McKenna who had taken the official photographs of the Governor's visit to Peel together with Mr. Clague who had kindly offered the use of his Bentley car to chauffeur the Governor around to the various locations in the Town. <i>NOTED</i>	
EDUCATION MATTERS	11/681	The Town Clerk <i>AGREED</i> to contact Mr. P Karran, MHK Minister for Education to seek a date to discuss education matters relating to nursery provision in Peel.	Letter sent
DOCTORS SURGERY	11/682	The Town Clerk referred back to Minute 11/664 and reported that he had made enquiries of the Peel Medical Practice	

Office Manager and reported that whilst there were no waiting lists as such any resident that required an urgent appointment would be given one. Arising therefrom Mrs. O'Halloran reported upon complaints made to her of delays of up to two weeks for patients seeking non urgent appointments. Mr. Gimbert referred to the operation of triage arrangements whereby doctors assessed if the need was urgent or routine and he suggested that there should be data on waiting lists. The Chairman suggested that a letter be sent to the Practice Manager and suggest that in the Commissioners opinion it would be useful if they could monitor the appointment process so that statistics could be prepared at a later date. There was a general perception that appointments were made for days in advance and statistics would allow the Practice to demonstrate that this was not the case.

TREES AND HIGH
HEDGES ACT

11/683

Mr. Jones referred back to Minute 11/649 and indicated that he had liaised with the Town Clerk over the type of letter that could be issued to residents that allowed their boundary hedges to overgrow footpaths. Mr. Jones stated that the local authority could request the property owner to cut back such hedging but any formal action by way of issue of a legal notice would have to come from the Department of Infrastructure under section 51 of the Highways Act.

Mr. Gimbert referred to the Trees and High Hedges Act and reported that the Board was not prepared to take on administrative responsibility when the Act was introduced in 2005. Mr. Jones stated that this Act was not relevant in terms of impeding the footpath. It was *AGREED* not to take on any responsibility under the Trees and High Hedges Act

REAYRT NY CRONK
LIGHTING SCHEME

11/684

The Town Clerk referred to a plan received from Heritage Homes Limited detailing the proposed public lighting

Letter sent

layout for the development of Phase B1 of the Rearyt ny Cronk housing estate. Mr. Gimbert indicated his opposition to approving such a street lighting plan until such time as Heritage Homes Limited conveyed the public open space to the Commissioners in respect of the Ballawattleworth Estate. The Chairman indicated that this was a separate issue and after discussion and advice from the Technical Officer that the street lights were correctly spaced it was *AGREED* to approve the public lighting layout for this part of the Rearyt ny Cronk Estate. It was also *AGREED* that a further reminder be made to Heritage Homes Limited over the public open space conveyance.

RECYCLING

11/685

Consideration was given to a letter from Mr. Patrick Lewis of Buck Recycling Limited. Mr. Lewis had offered a facility to replace kerbside recycling with bring banks. This would entail the Commissioners providing areas where bring banks could be established and his company would then finance the purchase of banks or recycling cages. At this stage it was *AGREED* to invite Mr. Lewis to a meeting to discuss his proposal in detail.

PLANNING
APPLICATIONS FOR
COMMENT

11/686

The following planning applications Letter sent
were considered at follows:-

12/00200/B

Additional use of residential flat as self catering tourist accommodation, 2 Bridge Street, Peel. *RECOMMENDED FOR APPROVAL.*

12/00230/B

Installation of replacement garage door, 7 Station Road, Peel. *RECOMMENDED FOR APPROVAL.*

12/00246/B

Installation of external staircase, erection raised replacement roof and alterations, Flat 1, 5 Michael Street, Peel. *RECOMMENDED FOR APPROVAL.*

PLANNING
DECISIONS NOTIFIED

11/687

The following planning decisions were notified by the Planning Committee as follows:-

PA 11/01627/B Erection of a conservatory and installation of replacement windows and doors to dwelling, 41 Douglas Street, Peel for Mr. Colin Quirk. *APPROVED*

PA 12/00092/B Erection of a dwelling with additional garage window to side elevation (amendment to dwelling approved under PA 10/00544/B) Plot B30 Rearyt ny Cronk, Poortown Road, Peel for Heritage Homes Limited. *APPROVED.*

PA 12/00040/B Installation of replacement windows, 34 Glenfaba Road, Peel for Mr. Nigel Ian and Mrs. Georgina Elizabeth Dempsey-Moore. *APPROVED.*

PA 12/00055/B Creation of parking area and vehicular access, West Mount, Rheast Lane, Peel for Mr. & Mrs. Peter Ling. *APPROVED.*

ARMED FORCES DAY 11/688

Consideration was given to an invitation from Brigadier Butler, Chairman of the Armed Forces Day Committee regarding a celebration event at the Villa Marina on Sunday 24th June 2012 at 3p.m. The Chairman suggested that Members place the date in their diaries and make effort to attend the celebration event.

Letter sent

KEEP PEEL TIDY
SURVEY 11/689

Consideration was given to an email from Mr. Chris Littler regarding the recent Keep Peel Tidy Survey which had been run on the Commissioners website. At this stage it was *AGREED* that the survey responses be copied to Members for consideration at the next meeting.

SUPPLEMENTAL
VALUATION LIST 11/690

Consideration was given to the first supplement valuation list for 2012. The Chairman indicated his surprise that certain properties where garages had been converted into additional rooms had resulted in a lower rateable value. It was

PGL

AGREED that this matter be investigated by the Town Clerk.

SELECT COMMITTEE 11/691
ON LOCAL
AUTHORITIES
MEMBERS
INTERESTS

Consideration was given to a letter from Mr. King Clerk of the Select Committee on Local Authorities Members Interests. The recommendations contained within the letter proposed by the Select Committee were discussed. Mr. Gimbert referred to recommendation 1 and indicated that while Members of the House of Keys and Members of the Legislative Council were professional politicians fully paid to do the job that was not the case for local authority representatives where Members held down alternative employment and it was his opinion that it was difficult to declare all interests. With regard to recommendation 2 Mr. Gimbert had no problem with a register of interest being maintained at the Town Hall. With regard to recommendation 3 which proposed that the Department of Infrastructure introduce legislation to give that Department an express power to issue guidance to local authorities and to impose on local authorities a duty to follow such guidance was in Mr. Gimbert's opinion a matter to be opposed as decisions and policy could be made by the Department without further recourse to Tynwald.

Letter sent

Mr. Jones indicated that he had no objection to the proposed recommendations. Mrs. O'Halloran indicated that as a Member of the Local Authority she was not paid and she had concerns over declarations of private stock/share holdings which she felt was an intrusion into her personal life. Mr. Beale was of a similar mind and the Chairman indicated that he objected to the proposals as the motive whilst being honourable the legislation could not properly cover the position whereby declarations could be made for membership of a parent company that would not necessarily follow to the subsidiaries. This raised the possibility of more confusion and other matters

		relating to identify theft. In conclusion it was <i>AGREED</i> that the Town Clerk forward a letter of objection to the proposals by the Select Committee.	
COMMUNICATIONS COMMISSION	11/692	Consideration was given to a set of consultation papers from the Communications Commission regarding the notifications of proposed determinations on wholesale fixed markets and retail fixed markets. The Commissioners had no comment to make.	
REGULATION OF CARE BILL	11/693	Members considered a consultation document from the Department of Social Care regarding the Regulation of Care Bill. It was <i>AGREED</i> that further consideration be given to the consultation proposals and that a response be formulated at the Annual General Meeting to be held on 1 st May 2012.	
ESTATE AGENTS AND LANDLORDS BILL 2012	11/694	Mr. Gimbert declared an interest in this item and took no part in the discussion. Consideration was given to a consultation paper regarding a proposed Estate Agents and Landlords Bill 2012. Members had no comment on the Bill at the present time.	
LANDLORD REGISTRATION SCHEME	11/695	Mr. Gimbert declared an interest in this item and took no part in the discussion. Consideration was given to a Landlord Registration Scheme which related to private landlords. The Commissioners had no comment to make at this stage and it was <i>AGREED</i> that this item and the previous item be held over for further discussion to the next meeting.	
STREET TRADING LICENCE	11/696	Consideration was given to a letter from Mr. Anthony Barrow who operated a Manx Fish, Pickles and Pate business from a mobile trading unit on Peel Harbour. Mr. Barrow had requested a further extension to his street traders licence and after discussion it was <i>AGREED</i> that a licence be issued to Mr.	Licence issued

Barrow for a further year.

HIGHWAY
AMENITIES

11/697

Consideration was given to a letter from Mr. Pearson, Director of Highways regarding the current administrative process in dealing with applications for A board advertising and street café licences. Mr. Gimbert referred to the proposals and in particular the fact that advertising would be required and if so would this be covered in any subsequent charge. Reference was made to powers delegated to local authorities under these proposals. After initial consideration the Commissioners voiced their concerns over the proposals suggested by the Department as ancillary costs could prove expensive to the local authority in terms of administration.

HOUSING CAPITAL
SCHEME

11/698

The Town Clerk referred to the recent receipt of a design team stage six report regarding the proposed external refurbishment of Commissioners housing stock at West View, Heathfield Drive, Roxwell Terrace, North View, St. Germans Place and Corrins Way. It was noted that the report was dated 26th January 2012 but had only been received by the Technical Officer the previous week. The Board *AGREED* that the report be deferred to the next meeting for further discussion and consideration.

COMMERCIAL
REFUSE

11/699

Consideration was given to a letter from Mrs. Kelly the owner of the Indian restaurant in Atholl Place, Peel. Mrs. Kelly indicated that the restaurant waste was stored under an arrangement with the bus depot but since it was being demolished alternative arrangements were required due to health, fire and licensing requirements Mrs. Kelly enquired as to whether a wheelie bin could be placed on the Christian Street car park to take the Indian restaurant refuse. The Technical Officer advised that there was a space available and subject to the wheelie bin having a locking facility it was *AGREED* to permit Mrs. Kelly to place her wheelie bin at the Christian Street car park.

Letter sent

PEVERIL ROAD

11/700

The Town Clerk referred to a copy of a letter received from a Mr. Eric Quirk of 21 Peveril Road, Peel in which he had written to the Director of Highways at the Department of Infrastructure concerning the condition of a section of Peveril Road between Victoria Terrace and Peveril Terrace. In addition Mr. Quirk had voiced his concerns at the weight of traffic moving through this primarily route and the failure to enforce the parking restrictions. In conclusion Mr. Quirk had requested the Department to include within its maintenance programme a plan to stabilise and re-surface that section of the carriageway to which he referred.

Letter sent

Mr. Quirk's letter was discussed at some length and it was noted that the parked cars on Peveril Road aided the slowing down of traffic using this road. Concern was voiced over the continued use of the Town's roads by HGVs. Mrs. Moughtin stated that JCK Limited had never indicated a desire to change its routes and whilst it was noted that the Lhergydhoo quarry was scheduled to close in July 2012 she suggested that an approach be made to JCK Limited to suggest that it uses the route via Kirk Michael rather than Peel. This was not thought likely to be accepted due to additional fuel costs and additional wear and tear on vehicles. In conclusion it was *AGREED* that the Town Clerk reply to Mr. Quirk on the Commissioners behalf indicating that any improvement to the condition of Peveril Road be supported and that if any change to the current parking regime was to be considered then public consultation would be required.

BOARDROOM
FACILITIES

11/701

Mr. Lace suggested that consideration be given to the purchase of a microphone system for the Boardroom to assist during Commissioners meetings. It was *AGREED* that the Town Clerk investigate costings accordingly.

PGL

PARKING IN ATHOLL PLACE 11/702

Mr. Lace referred to complaints he had received from residents over the half hour limit on parking availability in Atholl Place. He suggested that an increase to one hour similar to the Market Place would be of benefit.

Discussion ensued over other parking issues including the suggestion that disc parking be applied to fourteen spaces within the Market Place car park.

At this stage the Chairman suggested that whilst the traffic parking survey was awaited it would be premature to recommend changes until such time as the report and survey had been studied.

PEEL CHAMBER OF TRADE 11/703

Mr. Gimbert referred to the recent meeting of the Peel Chamber of Trade and outlined the matters discussed including the various arrangements for the Peel in Motion Day on 3rd June 2012. Arising therefrom the Town Clerk indicated that an application would be required for a street traders licence to be granted to the organisers of the Peel in Motion Day. *AGREED* Other events included entertainment on Easter Saturday including a Easter bonnet competition at which the Chairman or Lead Member of Recreation could be requested to present the prizes, face painting, egg painting and other activities would take place on the day. Mr. Gimbert indicated that the Chamber wished to put up coloured bunting in Michael Street to make the street more attractive. It was been costed up at £1 per metre and after discussion it was *AGREED* that £100 be contributed by the Commissioners to the purchase of a suitable length of bunting for display in Michael Street. RMG

Arising therefrom Mr. Harmer indicated that he would attend the next meeting of the Chamber on 7th March and outlined the availability of regeneration repainting scheme.

JUBILEE 11/704

Mr. Harmer outlined the arrangements

CELEBRATION

proposed to celebrate the Queens Diamond Jubilee. It was noted that the local school would look to produce murals on boards which could be displayed at suitable locations around the Town, the establishment of a wild flower garden and that a programme of various events throughout the year would be prepared and linked into the Peel Carnival which this year celebrated its 60th Anniversary. It was noted that a week of events were planned from 30th July to 5th August culminating in the carnival.

PLAYGROUND
SAFETY

11/705

Members noted the Wicksteed TQ playground safety report in respect of the various items of play equipment owned and maintained by the Commissioners. A schedule would be put in place to maintain the equipment and after discussion it was *AGREED* that those items designated as medium and high priority would be attended to.

This part of the meeting ended at 8.30p.m.