

GENERAL MEETING

The minutes of the general meeting held in the Boardroom, Town Hall, Derby Road, Peel on 1 December 2015 at 7:00pm.

Present Mrs C. Moughtin (Chairman)
 Mr I. Davison (Deputy Chairman)
 Mr A. Jones
 Miss K. Felton
 Mr D. Lace
 Mr E. Beale

Apologise Mrs J. O'Halloran

In attendance Mr D. Sewell (Clerk to Commissioners)
 Miss L Bampton (Deputy Clerk)

Action

CHAIRMAN'S WELCOME	15/232	The Chairman welcomed the Board to the first meeting in December and stated it was with regret that the Christmas Light Switch On Event was postponed on 28 November because of dreadful weather conditions. She hoped this family event would get better weather this weekend.
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MINUTES	15/233	The Board agreed the minutes of the meeting held on 17 November 2015. Mr Lace proposed and Miss Felton seconded this item respectively.
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MATTERS ARISING	15/234	Item 15/218 Manx Gas The Board considered the Manx Gas response to the Commissioners concerns on their new tariff structure. Mr Lace requested a copy of the Commissioners' letters to Manx Gas should be placed in the newsletter to residents to highlight this issue. The Deputy Chairman advised the Celtic League were concerned about the increase in gas costs when the wholesale price of gas had reduced by 2.5%. The Town Clerk advised the Manx Gas letter had stated they had an agreement with the Isle of Man Government to cap profits at 9.99% and Manx Gas had already purchased this year's gas supply. The Deputy Chairman stated the new tariff costs would be less transparent
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and the average person would not understand them. Mr Jones stated the letter had not dealt with the impact this would have on the low paid who did not receive the direct debit discount. The Board **agreed** the Town Clerk should write to Manx Gas to reiterate their concern about these issues.

Item 15/221 Peel Sewerage Treatment Funding
The Town Clerk reported a letter had been sent to the Manx Utility Authority to obtain their assurance funding currently exists for the design and construction of the Peel Sewerage Treatment works.

Item 15/227 Planning Applications
The Town Clerk reported he had opposed the window replacement proposals for the property at the junction of Market Street and Charles Street contained in planning application 15/01236/B.

Item 15/229 Peel Achievers
The Town Clerk reported he had sent a communication to the schools in Peel to obtain their nominations for the 2015 Young Achiever.

Item 15/231
The Town Clerk reported the work to refurbish the remaining benches would be completed by the end of the financial year.

Item 15/231 Pathway to QE II
The Town Clerk reported this path was flooded during the recent heavy rainfall and the height of the path needed increasing with compacted stone. In the current wet conditions this would be difficult to complete. The ownership of the path was uncertain at this time and it could belong to the Dandara, the school or the Commissioners. Further investigation work is required to establish the ownership. The Deputy Chairman stated the Commissioners should not do this work if it belonged to a developer. Mr Lace agreed with the Deputy Chairman. The Board **agreed** the ownership should be established as soon as possible.

HOUSING ITEMS

15/235

Item 3 Planning Applications
The Board noted the Commissioners had not received any planning applications.

Item 4 Planning Decision Notified.

The Board **agreed** no further action was required for planning applications 15/1109/B, 15/1068/B, 15/1166/B, 15/1176/B, and 15/1177/B.

RECREATION
ITEMS

15/236

Item 5 Road Racing Bill

The Board considered the Department of Infrastructure's summary of consultation responses report. The Deputy Chairman referred to his email to the Board members dated 30 November and the impact Sunday racing will have on Peel Day. The Chairman was concerning there was no regard for businesses and the financial impact had not been assessed. Mr Lace stated there should be no racing on Sunday because it was the only day of peace and people will get stuck in their homes. The Deputy Chairman highlighted the Isle of Man Chamber's response which stated a drop of 25% occurred when racing took place. He thought this figure was understated from the impact on Peel Day in 2015. The Deputy Chairman recommended if this legislation is taken forward the expenditure on the Peel Day event should be reduced and an evening event would need to be planned with suitable entertainment such as street racing. Mr Jones stated adequate training for marshalls had not been addressed within the report. The Town Clerk reported the issues contained within the Commissioners' consultation response had been taken out of context and although this report dealt with the primary legislation it did not provide any information on the safeguards which would be required to ensure public views are considered prior to allowing Sunday racing or ensuring adequately trained marshals are provided. The Board **agreed** the Town Clerk should write to the Minister for Infrastructure to advise him of these concerns.

Item 6 Christmas Light Switch On

The Deputy Chairman reported a smaller event with no procession or market would take place on Saturday 5 December. A road closure would not be required for this smaller event and crowd barriers would be required to protect the pedestrians from traffic. Santa would be present from 3.30pm and the light switch on would take place at 4.30pm. Mr Jones asked if the grotto would be decorated. The Deputy

Chairman confirmed he had Christmas decorations for this purpose. The Deputy Chairman asked the Town Clerk to contact the Crosby Silver Band or other musical entertainers to ascertain if they would accept a fee to attend the postponed event at short notice. The Board **agreed** these arrangements.

FINANCE AND
GENERAL ITEMS

15/237

Item 7 Consultation on Local Government and Building Control (Amendment) Bill

Mr Jones stated fixed penalty notices should simplify building control and bylaw enforcement. He hoped common sense would prevail and these would not be issued like confetti. The Board agreed not to oppose these proposals in the consultation document.

Item 8 Isle of Man Strategic Plan

The Board considered the report from the Department of Infrastructure. The Town Clerk reported the points he had raised were correctly reported. He stated the majority of these issues could not be resolved within the partial review of the Strategic Plan. However, this information could be referenced when the much delayed Area Plan for the West is developed. The Town Clerk stated he agreed with the Inspector who had stated these Area Plans must be developed quickly and he was surprised this report was viewed by Department officers prior to its release to interested parties. The Board **agreed** to write to the Department to ascertain why the officers had this report in advance of the other interested parties.

Item 9 Election Act

The Board considered the Chief Secretary's letter dated 19 November 2015 in response to the Commissioners complaint. Mr Jones stated the response is long and does not address the key issues raised by the Commissioners or the legal advice received by local authorities. The Town Clerk highlighted the second paragraph of the second page which states:

“I have examined the form used for the annual canvass in January 2015. I am satisfied that it clearly emphasised the requirement for the form to be returned in order to establish entitlement for continued inclusion on the electoral register. I am therefore also satisfied with the ERO's (Election Registration Officer's) decision to remove people from the

register who did not return their form.”

And the last paragraph of the third page which states:

“As part of the review of practices to maximise the accuracy of the register and in light of some of the issues which have come to light this year, the ERO has determined that individuals who do not return their forms at the 2016 annual canvass, to run from January to March, will be written to and advised that they will be removed from the register. It will also remove some of the ambiguity around the practical operation of section 11.”

And finally the first paragraph of page 4 states:

“The provision to give formal notice to a person to be removed from the register under section 11 of the Act is difficult to adhere to in practice.”

The Town Clerk highlighted the Chief Secretary has not responded to the complaint that the legislation does not allow the removal of persons from the electoral role who have not responded to the annual canvassing. In the legislation the specified maximum sanction for not responding is a fine. In addition, to remove a person from the electoral roll they must serve a notice under Section 11. The letter proposes following this statutory practice in 2016 and just because something is difficult to adhere to does not allow exemption from the procedures or the authority for an officer to change the procedures without a public mandate and Tynwald approval. The Board **agreed** the Town Clerk should write to the Chief Secretary to make him aware of these serious concerns.

Item 10 Competition Law

The Board noted the content of the guide for public sector on competition law prepared by the Office of Fair Trading.

Item 11 East Quay Temporary Suspension of Parking

The Board noted the contents of the Department of Infrastructure’s suspension of parking notice.

ANY OTHER
BUSINESS

15/238

The Town Clerk reported the Clothworkers School had provided an empty box for hamper donations. Any contributions would be welcomed.

Mr Jones referred to the flooded condition of the walkway on Marine Parade. He wished to thank Mr Cowin for bringing this to the Commissioners attention. The Town Clerk reported this issue had been raised with the Department of Infrastructure who are responsible for the maintenance of this area.

Mr Jones would like to thank Peel Youth Club for the great job they do with teenagers in the town. Miss Felton agreed with Mr Jones.

The meeting ended at 7:46pm