

GENERAL MEETING

The minutes of the general meeting held in the Boardroom, Town Hall, Derby Road, Peel on 21 September 2017 at 7:00pm.

Present Mr I. Davison
 Mrs C. Moughtin
 Ms H. Hannan
 Mr A. Jones
 Mr B. Heath

Apologise Mr E. Convery
 Mr D. Lace

In attendance Mr D. Sewell (Clerk to Commissioners)

Action

CHAIRMAN'S WELCOME	17/056	The Chairman welcomed the Board to the September Commissioners' meeting. The Chairman had recently represented the Commissioners at the Battle of Britain Concert and the QE II Prize Giving Evening. He highlighted the high calibre of student and student achievement at the school. This was particularly evident for the music award which the Commissioners sponsor.
-----------------------	--------	--

ITEM 1 MINUTES	17/057	The Chairman requested confirmation of the minutes. The Board agreed the minutes of the meeting held on 17 August 2017. Ms Hannan proposed this item and it was seconded by Mr Jones.
----------------	--------	--

ITEM 2 MATTERS ARISING	17/058	<p>Item 17/50 Audit of Accounts Completed</p> <p>The Board noted the contents of the external audit's letter dated 31 August 2017 for the Peel Town Commissioners signed accounts of the year ending 31 March 2017 and the signed independent audit report of Peel Town Commissioners dated 24 August 2017 which successfully completes the external audit works.</p>
---------------------------	--------	---

Item 17/52 PA 16/00839/B Planning Appeal

The Board noted the planning appeal statement had been submitted. Mr Jones asked if the Lead Members for Property and Asset Management can be advised when the appeal hearing will take place.

Item 17/53 Royal Airforce Association Battle of Britain Concert and Church Service

The Board noted the invitation acceptance for this event was sent

Item 17/54 Freedom of Information Review

The Board noted the content of the Cabinet Office communication dated 14 August 2017 and the Town Clerk had drafted the appeal documentation for the Information Commissioners. The Board **agreed** the appeal statement should be extended to include information on the in accurate and in complete information contained within the initial Cabinet Office review response dated 3 August 2017. Mr Jones proposed the inclusion of this information and the submission of the appeal documentation. The Deputy Chairman seconded this proposal and the Board unanimously **agreed**.

Item 17/54 Isle of Man Anti-Cancer Association

The Board noted the response to the Isle of Man Anti-Cancer Association approving their request for a street collection license for 13 September 2017 in the Derby Road Shoprite Car Park had been sent.

Item 17/54 QE II Peel Town Commissioners' Music Prize

The Board noted the cheque for the £50 sponsorship of the School's music prize had been sent to the school.

Item 17/54 Peel Badminton Club

The Board noted the communication requesting more information was sent to the badminton club.

Item 17/54 War Memorial Notice of Motion

The Board noted an update from the Lead Member Committees would be provided to a future meetings.

Item 17/54 Peel Sewerage Outfall

The Board noted the contents of the test results. The Town Clerk reported there was a significant delay in receiving these results which all showed poor quality bathing water. The Chairman requested a report to the next meeting on the condition of the sewerage outfall.

Item 17/54 Consultation on Pension Reform

The Board noted the Commissioners consultation response which supported the majority of the proposed changes subject to placing a 40% cap being place on the amount of lump sum which could be taken was sent to the Income Tax Division.

Item 17/54 Consultation on Proposed Contracting Out of Certain Police Services

The Board noted the Commissioners' concerns

were reported to the Department of Home Affairs in a combined letter from the Western Neighbourhood Policing Forum.

17/54 Public Record Office Retention of Local Authority Records

The Board noted the content of the communication from the Public Record Office dated 25 August 2017 stating public minutes would be made available for public viewing after the standard 30 year closure period and private or In Committee minutes would be subject to an 84 year closure period.

17/54 Camp X Memorial

The Town Clerk reported this matter was referred to the curator of the Leece Museum and he would undertake this work once the Museum was closed. The Chairman asked if the applicant for this memorial could be kept advised of the progress.

17/55 Any Other Business Operational Items

The Town Clerk reported the gully emptying had been placed on a work schedule and was scheduled to take place in the near future. He reported the Commissioners views on resurfacing Michael Street were provided to officers from the Department of Infrastructure at their regeneration defect meeting. The Town Clerk advised the Department had already liaised with the shop keepers and had put in place the closure order to undertake this work.

Mr Heath reported the swim safe scheme had been a success and a large number of participants had taken part.

HOUSING ITEMS 17/059

Item 3 Property Asset Management Lead Member Committee Update

Mr Jones the Lead Member for Property and Asset Management reported the lead members had met on 3 August and the following issues were discussed:

The lead members had not opposed planning applications 17/00741/B Replacement PVC windows at 1 Mona Street, Peel.

The lead members noted the planning decision notices for planning applications 17/00477/B Approval of part demolition of existing apartments and bungalows and construction of 19 new apartments, refurbishment of 20 existing apartments and alterations to create 6 semi-

detached bungalows at Westlands, Peel; 17/00517/B Approval of replacement conservatory with larger sun room at 20 Maple Avenue, Ballawattleworth, Peel; 17/00597/B Approval for widening existing driveway at 6 Rockmount, Peel; and 17/00609/B Approval of replacement windows with UPVC sliding sash and front door at 23 Bridge Street, Peel. The lead members **agreed** no further action was required on these applications.

The lead members noted little progress had occurred on the Corner House or 12 Market Street since the last meeting. The lead members **agreed** to proceed with the issuing of notices if the owners could not justify why no further action had taken place.

The lead members considered the street traders' licences application from Mobile Butchers Ballakarran Meat Company. The lead members **agreed** to refer this application to the Board for consideration. The lead members considered the street collection' licences application from Isle of Man Anti-Cancer Association dated 26 May 2017. Mrs Moughtin declared an interest in this charity and Mr Jones recommended this licence should be considered at the next Board meeting.

The lead members noted the Commissioners' 23 housing on Slieau Whallian View would not be available until the contract completion date of January 2018.

The lead members noted the content of the Housing Officer's first quarter performance management report. It was reported in the first quarter there were 13 voids successfully occupied within approved timescales. Seven of these properties were let through allocation from the waiting list and six were let from the transfer list. Further performance management information could be provided to the Lead Member Committee and the Board on request.

Item 4 Planning Applications for Consideration

The Board noted there were no planning applications submitted to them for consideration.

Item 5 Planning Decisions

The Board noted there were no planning decisions submitted to them for consideration.

Item 6 Housing Reserve

The Board noted the contents of the letter dated 11 September 2017 from the Department of Infrastructure concerning the planned reduction in housing authority reserves. Mr Jones reported he was not aware of any agreement made with the Board to reduce their housing reserve. The Town Clerk reported a number of local authorities including Peel Town Commissioners officers had expressed concerns at the Housing Officer meeting on 12 September 2017 on how the reduction in the reserve would force local authorities to undertake more capital works, and their ability to deal with issues which may arise from changes in legislation such as the Equality Bill or Safeguarding Bill. Mr Jones proposed the Commissioners should write to the Department to seek clarification on when this agreement had been ratified by the Board and how the Commissioners were to respond rapidly to enforced legislative changes. The Deputy Chairman seconded this proposal and the Board unanimously **agreed**.

RECREATION
ITEMS

17/060

Item 7 Events and Commercial Innovation Lead Member Update

The Chairman reported the lead members had met electronically on 29 August 2017 and the following matters were discussed:

The lead members noted no events had taken place since their last meeting.

The lead members noted the communication dated 25 August 2017 from the organisers cancelling the Festival of Motorsport Sand Racing on Peel Beach.

The lead members noted the communication from a Derby Drive resident concerning the soap box derby and **agreed** to defer this item until the next meeting when the rescheduling of this event in October 2017 would be discussed.

The lead members noted the approved works, classed as urgent, in the playground audit report were completed in August. The large football goal had been reinstated on the Headlands field. The lead members noted the cable trunking installation works for an integrated library/museum information and disaster recovery technology system was completed. The cable installation work was scheduled to take place in September 2017.

The Chairman reported at their meeting it was identified a budget of £10,000 was required to purchase new Christmas lights for the Market Place and St Peter's Gardens. The Town Clerk advised there was sufficient funding available in the existing street lighting scheme budget if this proposal was approved. Ms Hannan confirmed there was sufficient funding available this financial year to fund this purchase. Mr Heath seconded this proposal and the Board unanimously **agreed**.

FINANCE AND
GENERAL ITMES

17/061

Item 9 Finance and Staff Resource Lead Member Committee Update

Ms Hannan reported the lead members had met on 17 August 2017 and the following matter were discussed:

The lead member's noted the content of the Finance Officer's June report 2017 including a report on the first quarter of the year from 1 April to 30 June 2017. The reports now included current year expenditure measured against the previous year's expenditure and the budget allocations. The Commissioners' Accountant highlighted the following issues to the committee. The general revenue accounts for the first quarter reports a profit of £36,538. This surplus is budgeted on a number of named projects which are still to be undertaken or paid for including new playground; way marking; design for new industrial units; new street lighting; replacement vehicles; and promenade flags; bins; and shelters. The Town Clerk reported expenditure had taken place on Town Hall toilets, industrial units design; replacement vehicles, work on the Commissioners depot and Promenade street furniture.

The spending and income profile in the first quarter when assessed against their broad budget estimates and last year expenditure shows little deviation. The Commissioners Accountant stated the first quarter shows very accurate budget estimating and a good control of the accounts. The main areas of variance reported are fees/leisure costs, refuse costs, Town Hall costs and Works cost. However, in all these cases the expenditure is less than one quarter of the budget allocation. The Commissioners' Accountant reminded the lead members the largest variance on the previous year's expenditure was on refuse which was attributable to the Commissioners' withholding their gate fee payment until this dispute was resolved. The Commissioners Accountant advised

the lead members they still had healthy revenue reserves which he stated the Commissioners had previously considered investing in a new town play ground, the construction of industrial units or the purchase of land. The lead members reported the Isle of Man Bank were offering a 0.5% loan deal at the moment which was very competitive. The lead members **agreed** the Finance Officer should assess this offer. The Finance Officer advised the main areas of expenditure were reported within the finance report. The campsite was the only area where the budget had been overspent and this expenditure must be kept under control. The Town Clerk advised income was currently on budget which may provide additional income to invest in the campsite facilities.

The lead members noted the housing revenue budget was showing a £134,210 profit and the maintenance budget was slightly overspent by £5,906. During the quarter interest repayment of £125,000 and capital repayments of £248,000 had been made. There had been £43,000 spent on 13 void properties.

The lead members noted the Board at its July meeting had **agreed** the £2,000 boundary wall budget could be used to repair the to the old swimming pool access. The £9,000 budget for the Promenade's street furniture could be used to provide seats and tables at Fenella Beach. The £5,000 budget for a New Yard Door and some of the £25,000 budget for new vehicles could be used to undertake the depot health and safety improvement works. Part of the CCTV and Information Technology budget was to be used to funding up to £1,500 of communication equipment at the Leece Museum to reinstate public WIFI.

The lead members noted the contents of the statement of accounts signed by the officers which was to be put before the Board tonight for the Chairman's signature. The Finance Officer provided the lead members with the letter of representation which need to be signed by the Officers and the Chairman at tonight's Board meeting. The Commissioners' Accountant reported these accounts were the same as the lead members and the Board had previously approved in May 2017. The external audit had resulted in requests for a number of minor changes to the presentation of the capital expenditure balance for the acquisition of 23 new houses; depreciation;

retention; and overdue creditors/debtors. The lead members **agreed** to approve the statement of accounts and letter of representation being signed by the Board at their next meeting.

The lead members noted the content of the statements of accounts for the Harry Hill Ward Library fund and the Corrin Town Park Fund. The lead members asked if these funds could be used on Commissioners projects. The Finance Officer stated previous attempts to use this funding had been refused by the trustees. The lead members agreed to consult Mr David Hill on possible uses for the Ward Library fund. The lead members **agreed** to approve these statement of accounts being signed by the Board at their next meeting.

The lead members noted the contents of the Treasury's communications dated 21 July 2017 and 7 August 2017 concerning notice of rating objections for 1 Cairn Drive and 15 Imman Stronnag and the second supplemental list 2017 dated 30 June 2017. The lead members **agreed** no further action was required.

The lead members noted the content of the external audit report giving clearance for the Commissioners' financial statements, procedures and accounts for 2016/17. The Commissioners Accountant reported the Commissioners' accounts were the first to be signed off by the auditors this year and only minor matters were highlighted within the appendices to the report. The lead members thanked the Commissioners' Accountant, Finance Officer and the Town Clerk and **agreed** the positive external audit report should be sent to the next Board meeting.

The lead members noted the Town Clerk and the Finance Officer had been unable to develop this housing debt policy since the last lead member meeting.

The lead members noted the content of communication from the Secretary to the Public Service Commission advising arbitration had awarded a 2.3% pay increase for 2017. The Town Clerk reported this increase was legally binding on the Commissioners and sufficient budget had been provided to fund this increase. The lead members noted this pay increase would be reported to the next Board meeting.

The lead members noted the content of the

communication from the Public Record Office. The Town Clerk advised the general public did not have a legal right of access to Commissioners minutes for a 30 year period. The Town Clerk advised the minutes of meeting undertaken in public will not contain sensitive information and the public could be given access to these immediately. However, the minutes of meetings undertaken when the public are not permitted to attend will include personal and confidential information on tenants and employees. This information should not be accessible by the public and should be protected. The Town Clerk proposed an exclusion of 50 to 60 years to protect this information for the life time of the tenants and staff. The lead members **agreed** for this matter to be referred to the next Board meeting with a recommendation a further 50 year exclusion on public access is placed on minutes where personal data is discussed.

The lead members reported provisional support to install two further clock faces in St Peter's Clock Tower.

Item 10 Works Lead Member Committee Update
Mr Lace reported the lead members had met on 3 August 2017 and the following matter were discussed:

The lead members noted the content of the Technical Officer's report and did not raise any issues with its content. The Technical Officer highlighted the works including the signage on the Peel Hill Access Track were completed; the new playground swings had arrived for installation; the Headlands football goal was installed; a new bench and table had been installed in Fenella Beach Car Park; and a new fire alarm had been installed in the depot. He report the Commissioners were ready to assist the Carnival organisers on 6 August and preparations were underway for the Soapbox derby for 20 August 2017.

The lead members noted the Board at its July meeting had agreed to extend scope of the boundary wall, Promenade street furniture; new yard door; new vehicles and Information Technology budgets as reported by Ms Hannan. The officers reported expenditure against the Town Hall toilet, new toilets, flag, new vehicle and industrial unit design budgets in the July 2017.

The lead members noted the attached quotation for the replacement shelter valued at £5,439. The officers reported this quotation was considerably cheaper than the budget estimate and the cost of the replacement shelter undertaken last year. The officers asked lead members authorise a departure from standing orders and accept this quotation for the works. The Lead members agreed to accept this quotation subject to confirmation from the lead members for Finance and Staff Resources.

The lead members noted the Commissioners' Slieau Whallian View properties had a contract completion date of January 2018.

The lead members noted no procurement or subcontractor issues were reported.

The lead members noted a replacement vehicle would arrive in the next few days and a further vehicle was on order. The minor repairs and replacement of the headland swings were being undertaken in the playgrounds.

The lead members noted no defects, or remedial works were reported.

The lead members noted the installation of the new fire alarm, minor tidying works and vegetation trimming works at the Glenfaba Road Yard were completed. The installation of the mezzanine railing was in progress, and quotations were being prepared for a dust extraction equipment and for a circular bench saw. The lead members noted a notifiable accident had occurred while trimming back the vegetation around the evacuation door at the depot. The member of staff had incurred minor injuries and was now back at work.

The Technical Officer reported he had reviewed the existing 200 risk assessments and would reissue these at the end of September in accordance with the approved recommendation in the Commissioners' internal audit report.

The lead members noted the Town Clerk had received a further communication from a local resident concerning the Tall Trees at Belle Vue, Ramsey Road. The Town Clerk had reiterated the extent of the Commissioners' legislative powers and had invited the resident to a meeting to discuss this issue.

The lead members noted the officer's report dated 27 July 2017 concerning the purchase price of carbon monoxide detection equipment from three suppliers. The lead members agreed to the purchase of these units for all the Commissioners' properties using the cheapest quotation.

The lead members reported the Commander Green plaque had been taken from the Albany Road gardens. The Town Clerk reported this was only replaced in April 2017. The officers reported a number of incidents of vandalism to the Commissioners' public toilets. They advised the perpetrators had been identified by the Police and any large repair costs could be recovered from their parents.

Item 10 Five Year Bus Service Review

The Board noted the content of the communication from the Department of Infrastructure dated 8 September 2017. The Town Clerk reported the only issue he was aware of was the removal of the Castletown service. Mr Heath referred to the buses using the swimming pool to turn around and wait. Mr Heath proposed these two issues should be highlighted to the Department of Infrastructure. This proposal was seconded by Ms Hannan and the Board unanimously **agreed**.

Item 11 Delegation of Functions to Local Authority

The Board noted the content of the communication dated 11 September 2017 from a Peel resident concerning the content and the legality of the delegation agreement between the Department of Infrastructure and the Commissioners to undertake a number of highway functions by delegation. The Town Clerk reported both the Commissioners and the Department, as the parties to this 2015 delegation agreement, both believe there is agreement to undertake weed killing, verge maintenance, gully emptying, street cleaning and any other function included within the delegation. This cost of undertaking the works associated with this delegation are offset by the ongoing retention by the Department of the gate fee at their 2014 fee amount. The hedge trimming document is not applicable to Peel Town Commissioners as an urban authority because the hedges in the town are predominately owned by private individuals who are responsible for trimming their hedges and the Commissioners can

recover their costs should they be required to undertake work of this nature. The Town Clerk reported the agreement is made under Section 2 of the Highway Act 1986 which places a number of statutory obligations on both parties in the performance of any agreement. Mr Heath stated both the Department and the Commissioners have been operating since his election to the Commissioners on the basis a delegation exists and he is content to carry on undertaking these functions for the community under the existing terms of this delegation. Mr Jones seconded this view and the Board unanimously **agreed**.

Item 12 Raggatt Leachate

The Board noted the content of the communication date 29 August 2017 from a Peel resident highlighting the local authority may undertake an investigation under Section 95 of the Public Health Act in to the disposal of leachate. Mr Jones proposed the Town Clerk should undertake this investigation on behalf of the local authority subject to the Cabinet Office not exercising their legislative powers to investigate the same issue. The Deputy Chairman seconded this proposal and the Board unanimously **agreed**.

Item 13 Consultation on Proposed Registry Bill

The Board noted the contents of the consultation documentation for the proposed Registry Bill from the Department of Economic Development. The Board made no comments in relation to this proposed Bill.

Item 14 Consultation on the Safeguarding Bill

The Board noted the contents of the consultation documentation for the proposed Safeguarding Bill from the Cabinet Office. Ms Hannan stated this matter had been in preparation for a considerable period of time and she broadly supported the proposals. Mr Jones agreed and highlighted a corporate governance issue with officers being present on the Safeguarding Board to make decisions rather than them reporting to the Board and actioning their decisions. He stated this could set a precedence it would blur the responsibilities of civil servants and could reduce transparency, accountability and integrity. Ms Hannan seconded this proposal and the Board unanimously **agreed** to confirm their broad support subject to highlighting their concerns regarding officers being present on the Safeguarding Board.

OTHER BUSINESS

installed across the Douglas Road which may result in more silt being discharged into the River Neb.

Mr Jones reported a Peel resident had highlighted problems with shell tipping lorries going through residential areas in Peel. The Town Clerk reported full access to Peel Hill had been reinstated following the completion of the safety works and new protocols.

Mr Heath asked for a Pride in Peel day to encourage litter collection and to improve signage to the Town Hall for tourists.

Ms Hannan reported problems at the new Westlands concerning the fitting of carpets. She stated this issue had been foreseen and reported to the Board a number of months previously.

Ms Hannan highlighted a problem concerning the condition of the steps to Mount Morrison. She proposed using the surplus funding from the Promenade shelter schemes to undertake this work. This was seconded by Mr Heath and the Board unanimously **agreed**.

Ms Hannan requested an update on the review of the Peel Bye Laws

The Chairman reported bonfire night in Peel would take place in Friday 3 November 2017. He asked the Board to approve the use of last years supplier for the firework display. The Deputy Chairman confirmed her support based on the quality of last year's display for the Commissioners' budgets and the Board unanimously **agreed**.

The Chairman reported antisocial behavior located in the Market Place shelter. Mr Jones stated the close circuit television coverage in this area should assist in preventing this activity and proposed this matter should be considered by the Events and Commercial Innovation Lead Member Committee. This was seconded by Mr Heath and the Board unanimously **agreed**.

The meeting ended at 8:09pm