LAXEY VILLAGE COMMISSIONERS
Mid Monthly Meeting
Wednesday 18th March 2015 10.00 am

Meeting Minutes

Present: Mr J James, Mr P Kinnish, Mr AJ Moore (Chairman)
In Attendance: Mr P. Burgess, Clerk
Apologies: Mr P Hill Deputy Clerk, Mrs J Pinson, Mrs R.Bate (Vice Chairman)

141/14 Planning Matters

Planning Applications

a) Planning Application No 15/00196/B of 23.02.15 in respect of demolition of existing building and erection of a pair of semi-detached dwellings with parking at the Methodist Sunday School, Glen Road, Laxey, IM4 7AQ. [LVC Ref: 3710].
Two letters of representation received.
Resolved to approve planning application no. 15/00196/B.

b) Planning Application No 15/00275/B of 10.03.15 in respect of partial conversion of Pavilion to provide a children's nursery at the Laxey Glen Pavilion, New Road, Laxey, IM4 7BE. [LVC Ref:3712].
Resolved to approve planning application no. 15/00275/B.

Approval Notices (DoLGE Planning Committee)

c) Planning Approval Notice No 14/01294/C of 11.03.15 in respect of application for change of use of existing hall to provide a children's nursery at the Salvation Army Hall, Shore Road, Laxey, IM4 7DJ. [LVC Ref: 3698]. *Approved by LVC.*
Resolved to note Planning Approval Notice No. 14/01294/C.

Refusal Notices (DLGE Planning Committee)

d) Nil.

Appeal Notices (DLGE Planning Committee)

e) Nil.

Planning Enforcement (DLGE Planning and Building Control)

f) Nil.

Planning - other Correspondence

g) Nil.

142/14 Approval of Minutes

The Minutes of the Monthly Meeting held on 4th March 2015 were examined for accuracy, and it was unanimously resolved they represented a correct statement of events.
*Proposed by **JJ**, Seconded by **PK***

143/14 Matters arising out of the minutes 4th March 2015.

a) Nil.

144/14 General Correspondence

a) Manx National Two Day Trial secretary writes on 03.03.15 asking for permission to use Laxey Beach on Sunday 30th August 2015 between 1300 hours and 1600 hours.
It was Resolved to give permission to the Manx National two day trial to use Laxey beach on the date requested.

b) P&M Windows Sponsor Form for Charity Cycle Ride on 18.04.15 to 03.05.15.
A discussion took place and it was noted that unfortunately the Local Authority is unable to provide support.

c) Resident of The Promenade writes on 3rd March regarding Coastal and Wave Topping Presentation. His letter responds to request for feedback and makes a number of observations.
The Clerk advised this was an ongoing consultation and responses would be collated and presented to the Board in due course.

d) Resident The Promenade, Laxey writes on 11.03.15 a response to the Isle of Man: Flooding and Wave Overtopping Study following his attendance at the Presentation.
See item 144/14, c).

145/14 Reports

a) Nil.

146/14 Any Other Business

a) Office of the Clerk of Tynwald writes on 12.03.15 regarding Tynwald Garden Party 2015, which will take place on Sunday 5th July 2015. Please nominate a representative and guest to attend the Party on behalf of your Local Authority and submit the information to Nina Lowney on either n.lowney@tynwald.org.im or phone to 685500 **before Friday 10th April 2015**.
A discussion took place and it was resolved the Clerk respond advising the AGM was scheduled for 6th May 2015 and that the office of Chairman would be confirmed at this time.

b) Department of Infrastructure letter of 13.03.15 to Mr Williams of Sea Villa acknowledging his comments about Flood protection measures.
See item 144/14, c).

c) Resident of Shore Road, Laxey writes on 14.03.15 a submission about Coastal Defences and Wave Topping.
See item 144/14, c).

d) Resident of Back Shore Road e-mail at 1007 hours on 13.03.15 regarding Coastal defences at Laxey - Regarding the coastal defences discussed at the meeting held in the Workingmen's Institute, Joan and I are of the opinion that the Rock Revetment idea would be the most compatible with the Laxey Promenade. It would have the least visual and physical impact on the length of the promenade that is need of any kind of protection. The idea of a secondary wall placed behind the existing promenade wall would, as was pointed out create a trap for the pebbles and other detritus that would be washed up, and heaven forbid, unscrupulous individuals throwing all kinds of rubbish into the cavity. Together with the constant need to keep cleaning the area, thus creating additional expense over a long period of time, this I think would be a non-starter. The further option of building a defensive wall further back from the promenade and nearer to the green area would just about negate any desire to come and visit what is a great tourist attraction in Laxey.
See item 144/14, c).

e) Resident of Shore Rd emails at 1557hrs on 05.03.15. Just a quick note to say that my view on the flood defences, following the recent meeting, is that I feel temporary measures are probably best for the foreseeable future. I don't like the outcome of any of the proposals put forward by the consultants! I think they will all impact badly on the view of the promenade and the harbour. Bearing in mind the number of times we are likely to have major problems, I don't think it justifiable to spoil the outlook of the whole area.
There are probably only around 15/20 properties that would have difficulties in extreme circumstances and I feel that some help from the government to assist in having flood barriers for those properties, plus some tote and sand bagging, is as much as is required. Maybe as time goes on we will need to review this, but for now I feel sure we don't need elaborate costly and ugly remedies!
See item 144/14, c).

f) Resident of the Promenade email at 1534hrs on 16.03.15. Thank you for your letter regarding flood defences. I am of the opinion that the proposed schemes would be detrimental to the appearance of the promenade and the estimated costs at a time of cut-backs too costly. How many homes are at risk of being flooded? I and one of my neighbours have since the problems we had in January 2014 invested

in barriers to protect our homes. Perhaps the DOI. Could allocate funds to the owners of the properties at risk to install similar barriers. This would cost only a fraction of the estimated costs of the schemes proposed. At the public meeting one resident was of the opinion that residents were not given sufficient notice of possible coastal flooding. I think sufficient notice is given as I am aware now that the next problems could arise late September and November this year. Could you please acknowledge receipt of this email as I am new to this method of communication and not always confident I have got it right?

See item 144/14, c).

g) Derek.Sewell@highways.dot.gov.im e-mails at 1240 hours on 13.03.15 regarding Role, remit and Operation of the Road Transport Licencing Committee Consultation. I am writing to advise you of a Council of Ministers' consultation which is being launched today on the role, remit and operation of the Road Transport Licencing Committee (RTLC). I would highlight your role as a local authority stakeholder. A copy of the consultation documents is attached for your attention, please note that the questionnaire can be completed on line. The Council of Ministers' RTLC review committee is seeking the views of interested parties and the public on the role, remit and operation of the Road Transport Licencing Committee. This consultation will form an important part of the Council Of Ministers' RTLC review committee evaluation of how best to regulate the road transport industry in the future. It is hoped that the Department will receive as many views as possible to ensure the RTLC review committee have a detailed understanding the issues associated with regulating the road transport industry prior to making a firm recommendation on how this important function is deliver in the future. A copy of the consultation document can be viewed on the Government website at http://www.gov.im/ConsultationDetail.gov?id=491 or a paper copy can be collected from the Department of Infrastructure Policy, Performance and Strategy offices at the Sea Terminal Building in Douglas during normal office working hours. In addition, the questionnaire which accompanies this consultation can be completed and submitted online by following the links on the Government website. Thank you for taking the time to read the consultation document. Please ensure that your completed the questionnaire is submitted by 21 April 2015.

Resolved to note.

h) Emma.Rowan@gov.im e-mails at 1449 hours on 13.03.15 regarding Consultation on New Primary Marine Legislation - The Department of Infrastructure has today launched a Public Consultation exercise on the preparation of new primary legislation for the Isle of Man's territorial seas. This email is to advise you of this consultation and to provide you with a brief summary of its contents. There is currently no one bespoke piece of legislation covering marine developments in the territorial seas. At present there are various pieces of legislation across Government, each of which cover different aspects. Any one development proposal may require consideration under one or more pieces of legislation. The Department of Infrastructure is committed to preparing new primary Legislation for the marine environment. Pending the approval and introduction of the proposed new marine legislation, the current legislation and consenting process will continue to apply. The Department has published guidance for parties interested in developing within the Isle of Man's territorial seas and is available at https://www.gov.im/categories/planning-and-building-control/marine-planning/guide-to-developers/. This Guide highlights the legislative framework and consenting processes currently in place. Purpose of the Primary Legislation Most activity within the territorial seas is currently controlled through a number of different pieces of legislation. Some of this belongs to the Department of Infrastructure who will administer the process and issue the appropriate consents that it is responsible for, while other Government Departments will follow applicable procedure for consenting using their legislation. The Department of Infrastructure is also required to grant a lease of the sea-bed for proposed developments as owner of the sea-bed. The main purpose of this new primary legislation is to bring together the necessary components of the existing legislation that relate to the territorial seas to develop one streamlined system for consenting for major developments. It is proposed that by creating one system with the appropriate legislation, it will provide a greater level of clarity for the decision makers, any potential applicants and stakeholders throughout the process. It is

proposed that there will be the necessary powers within this new Marine legislation to amend and / or revoke existing legislation if and when appropriate, however the Department will be guided by advice from the Attorney General's Chambers on this. It is the intention of the Department that this new Marine legislation will contain the appropriate overarching powers required to enable the Department to formulate the necessary secondary regulations to provide greater detail and clarity to the process. Consultation on the formulation of secondary regulations will take place at a later date. It is likely that some secondary legislation will be required to be in place at the same time as when the primary legislation comes into operation. Preparation of the Scoping Document The Department through the Territorial Seas Committee has set up a Marine Legislation Sub-Group to assist with the formulation of this legislation. It is made up of representatives from DOI, DEFA and DED. It is chaired by DOI, and it reports to the Territorial Seas Committee. The Department organised initial scoping exercise meetings with representatives from the various Government Departments and Agencies (DEFA, DED, DOI and MNH) to best understand what other Departments wish to see included within this legislation, in line with their Departmental responsibilities and considering existing legislation which currently applies to the territorial seas. The outcomes of these meetings enabled the Department to prepare a consultation document setting out the scoping. Consultation exercise on the scoping and next steps In line with the Code of Practice on Consultations (2008), it is intended that a public consultation exercise will run for 6 weeks. This exercise will seek views on the principles to be included within the new primary legislation, and a limited number of questions will be asked. The detail of the Act will not form part of the consultation. The Department will most likely have to undertake a further consultation exercise of the formulation of secondary legislation which will sit alongside this primary legislation but this will be at a later date. The consultation document sets out the overarching principles that will form the basis of the Policy to be included within the new primary legislation. It is available to view on the Government website at (http://www.gov.im/about-the-government/government/government-consultations/) and feedback can be provided by completing the online Consultation Survey (https://www.snapsurveys.com/wh/s.asp?k=142600084872) or emailing (PlanningPolicy.DOI@gov.im). The Consultation will run until Friday 24th April 2015 at 4pm. The results of the consultation exercise will be published in line with the Code of Practice on Consultations, and will assist with the formulation of drafting instructions to the AG's Chambers Legislative Drafters. All responses received following the close of the public consultation exercise will be considered by the Department in the formulation of drafting instructions to be passed to the Attorney General's Chambers. The Council of Ministers will then be required to give this Bill a priority level which will dictate the speed at which it can be drafted. Should you require any further information or clarification on any element of the consultation, please do not hesitate to contact me.

Resolved to note.

i) Michael.Morrison@gov.im e-mails at 1538 hours on 13.03.15 regarding Consultation on the Reform of Domestic Rates - Consultees, Treasury will launch a consultation exercise on the reform of domestic rates on Monday 16th March which will run until the 27th April. In January 2015, Tynwald agreed that domestic rating reform should now be carried out, based on new legislation which will introduce a property tax for domestic properties based on their capital values: underpinned by a national property revaluation which should be completed by February 2016. The purpose of the consultation exercise is to invite comments on the proposed reform. It is not a referendum but is an exercise for gathering information, views and evidence to allow Treasury to take an informed decision on the future method of calculating and collecting local property taxes on behalf of local authorities, churchwardens and the Manx Utilities Authority: known together as "rating authorities". The consultation is open until April 27 and the consultation document is attached and from the 16th March can be found on the Isle of Man Government web site at http://www.gov.im/consultations.gov?menuid=16916&type=current. Responses can be made in writing preferably by email to michael.morrison@gov.im or through an on-line survey available at https://www.surveymonkey.com/r/ratesreform Further information about the public consultation can be obtained from the address below. Regards *Michael Morrison BSc (Hons)*

PgDL MInstLM Senior Executive Officer, Treasury Illiam Dhone House, 2 Circular Road, Douglas, Isle of Man, IM1 3PX Tel: (01624) 686266 (07624) 491660.

The Clerk circulated copies of the Consultation survey document and briefed the Commissioners on the main points contained therein. A discussion took place and it was resolved the Commissioners would complete the survey individually.

j) Resident of Tent Road, Laxey writes on 17.03.15 to complain about the trailer left in the recycling car park and believes that it creates a bad image for the local area in that it appears abandoned and creates image of fly tipping area.

A discussion took place and it was resolved to write to the owner of the trailer requesting it be moved.

k) MER Stations – Benches and Planters.

*The Clerk stated that at the recent Regeneration Committee meeting it had been reported that the Manx Electric Railway Society were no longer willing to pay for the replica rustic benches. Eight benches had been ordered and four were ready to be delivered. Also the Commissioners representatives had agreed in principle to the provision of planters and hanging baskets for the station, the rational for this was that the station is the gateway into the village and it was important to maintain the overall appearance with floral displays. A discussion took place and it was Resolved to provide a budget up to a maximum of £5,000 to purchase benches, plants and containers. Proposed **AM**, Seconded **PK**, unanimously Resolved.*

l) Dilapidated Properties – **PK** enquired if the was an update on this matter. The Clerk advised that the Environmental Health Officer from Department Environment Food and Agriculture had been provided with a list of properties and would be inspecting them this week with a view to providing advice to the Commissioners at a future meeting, likely to be the April mid monthly.

m) Harbour Toilets – **PK** stated that the some time ago the Commissioners had written to the department requesting they take over responsibility for the cleaning of the toilets, however nothing had come of this. A discussion took place and it was resolved the Clerk write to the director of ports and enquire if the Department are willing to pass responsibility for the toilets to the Local Authority.

a) Isle of Man Strategic Plan Consultation – **JJ** reported he was still reviewing the documentation.

b) 20 mph Speed Limits – **PK** had to hand an article from a UK newspaper titled 'March of the 20mph speed limits. A brief discussion took place and it was Resolved **PK** would raise this at the next Traffic Management Liaison Group meeting.

Meeting Closed at 11.50am

Date of next meeting - Wednesday 1st April 2015, 10.00am.