

Lonan Parish Commissioners

Statutory Meeting

Tuesday 23rd April 2013 at 1745 hours in the Laxey Commissioners Office.

MINUTES

Present: Mr S. Clucas, Mr J. Faragher, Mr M. Burgess, Mr N. Dobson, Mr S. Clague, Mr P. Hill. **Apologies:** Nil.

Chair: Mr N. Dobson. **Clerk:** Mr P. Hill.

The Meeting commenced at 1745 hours.

04/13 Minutes of the Statutory Meeting of 19th March 2013

Action

The Minutes of the Statutory Meeting of 19th March 2013 were examined for accuracy, and it was agreed that they represented a correct statement of events.

Proposed by: JF. Seconded by: MB.

05/13 Matters Arising out of the Minutes.

- a) **ND – 122/12(a)** – Asked **SC** about progress in this regard to which he said that the matter was still being discussed and training sessions were being planned.
- b) **ND – 122/12(d)** – Asked **MB** if he had attended the Seminar to which he said that he was unable to attend due to a family matter.
- c) **ND – 122/12(f)** – Criticised the Department of Infrastructure for the inflammatory and misleading remarks that they had made regarding the allowances matter and whilst it made good headlines in the Press it unfairly reflected badly on Local Authorities.

06/13 Minutes of the Extraordinary Planning Meeting of 10th April 2013.

The Minutes of the Extraordinary Planning Meeting of 10th April 2013 were examined for accuracy, and it was agreed that they represented a correct statement of events.

Proposed by: ND. Seconded by: JF.

07/13 Matters Arising out of the Minutes.

There were no matters arising.

08/13 Private Sessions.

09/13 Planning Applications.

- a) Planning Appeal Hearing Notice No 12/01321/B of 04.04.13 in respect of appeal against approval for formation of re-located driveway and vehicular access incorporating part of adjacent field into residential curtilage, Green Hills, Pinfold Hill, Lonan, IM4 7HJ. Oral hearing to take place on Wednesday 1st May 2013 at 1300 hours. Please confirm attendance. *The Board had approved this application and were satisfied for their submission to be read.*
- b) Planning Appeal Hearing Notice No 13/00028/B of 04.04.13 in respect of appeal against refusal for erection of fencing, (retrospective), at Balmaha, Croit-e-Quill Road, Lonan, IM4 7JE. Oral hearing to take place on Thursday 2nd May 2013 at 0930 hours. Please confirm attendance. *(Refused by LPC).*

PH

ND
PH

- c) Planning Application No 13/00418/B of 08.04.13 in respect of alterations to dwelling and conversion of garage to ancillary living accommodation at Seafield, Laxey Road, Baldrine, IM4 6HA. PH
Approved.

10/13 Correspondence.

- a) Department of Infrastructure letter of 20th March 2013 regarding Planning Application Fees Order 2013 which was approved by Tynwald on 19th March. Increased charges will apply from 1st April.
Noted.
- b) Isle of Man Government Waste Policy and Strategy for 2012 to 2022 document. *Noted.*
- c) Invitation to the Municipal Association AGM on Thursday 23rd May 2013 at 1900 hours at the Colby Glen Hotel. Following the formal meeting, at approximately 8.15pm or shortly afterwards, the meal will be served. After the meal the raffle will be drawn; donations of prizes would be greatly appreciated. We shall then welcome the guest speaker who this year is to be Mr Bob Carswell, a recently retired civil servant and Manx scholar. The meal comprises a carvery with beef and turkey, a dessert and tea/coffee at a **total cost of £16.50 per person**. There is a nut roast option for vegetarians (please advise when booking). Should any guests have dietary restrictions they may like to know that the gravy is meat and gluten free. PH
All to attend. Municipal Treasurer to be informed and paid.
- d) Department of Infrastructure letter of 20.03.13 seeking permission to erect TT and MGP Road Safety Banners at Baldrine Park and Church Road. (*Permission has always been given in the past*).
PH informed the Board he had provided the necessary authority on their behalf. Noted.
- e) Further to the Consultation that took place between 9 January and 20 February 2013, the Boundary Review Committee is currently giving consideration to the submissions received. These include discussions held with Members and with Commissioners. As a consequence of these discussions the Committee is considering two significant changes which will affect your areas prior to finalising their report for Tynwald in June. The details of the press release to be released later this afternoon and the maps are attached for your information. In the press release you will see that the public are being advised that they may examine the revised draft maps on the Boundary Review Committee website at <http://www.gov.im/cso/brc/> or at the Commissioners' offices in your areas. You will be able to print off the maps attached to this email.
Ann.Craine@cso.gov.im e-mails at 1358 hours on 26.03.13. I am writing further to my earlier email regarding the Boundary Review Committee. In that email I attached a press release and two maps. Please find attached further information in tables regarding these two maps. These tables show the situation after:
 1. Maughold was moved between the Northern and Eastern proposed constituencies and;
 2. The redrawing of Onchan Urban to move part of Howstrake into the Eastern Constituency.and should be viewed along with the two maps and they will accompany the press release.
A discussion took place and it was noted.
- f) Report on Draft Lonan Dog Byelaws 2013. *PH outlined the research he had carried out and the preparation of a Draft Bye Law for Lonan together with the likely costs and benefits, based on the experiences of other Authorities. He added that costs can be reduced if the area of enforcement was also reduced, for example choosing selected streets or specific areas. A discussion took place and it was agreed that the benefits did not match the costs of implementation and enforcement and decided not to proceed further.*

- g)** Steve Rodan letter of 26th March 2013 regarding Audit charges and he has contacted Mr Cretney and the Chief Internal Auditor.
Steve Rodan attached copy of letter dated 28.03.13 from Mr Cretney regarding Local Authority Audit fees. Mr Cretney states that he is aware of concerns about the matter of fees charged, but it is a matter for Treasury and not Infrastructure to answer the questions. (See SM – 19.03.13 – 122/12(g)).
Noted.
- h)** Secretary of ECAS e-mails on 28.03.13 regarding ECAS. “Attached are minutes of last week’s meeting of the Joint Committee. (18.03.13). They will be published on Friday 5th April in the agenda for the Council meeting to be held on Wednesday 9th April. At Clause A11, the Chairman has queried whether VAT is applicable to the charges for fridge and freezer disposal. My understanding is that it doesn’t apply either to the current charge or the new, but I have sought confirmation and will advise in due course. If necessary, a line of clarification can be added to that minute at the next meeting. Returning to the publication of the minutes and procedural requirements, they are put to the Council for ratification at the earliest opportunity after the Joint Committee meeting; can you confirm that they are also put to your authority as a matter of course?” *ND provided a comprehensive breakdown of the problems being faced and how they were being addressed.*
- i)** The Isle of Man Office of Fair Trading is seeking your views in relation to the fee payable for the registration of a moneylender under the Moneylenders Act 1991. The fee shall be such an amount as is prescribed by Order under the Fees and Duties act 1989 and is subject to approval by Tynwald. Please find attached a copy of the consultation paper which sets out the Office’s proposals together with the draft Moneylenders (Registration Fee) Order 2013. Comments should be submitted in writing by post, fax or email no later than 5.00pm on Monday 13th May 2013. Additional copies of this document can be obtained from the Office by telephoning (01624) 686507. Electronic copies are also available at www.gov.im/oft/consultations.gov.
Noted.
- j)** The Isle of Man Office of Fair Trading is seeking your views in relation to the fee payable for the issuing of a Non-Resident Traders licence. The fee shall be such an amount as is prescribed by regulations made under the Non-Resident Traders Act 1983 and is subject to approval by Tynwald. Please find attached a copy of the consultation paper which sets out the Office’s proposals together with the draft Non-Resident Traders (Licence Fees) Regulations 2013. Comments should be submitted in writing by post, fax or email no later than 5.00pm on Monday 13th May 2013. Additional copies of this document can be obtained from the Office by telephoning (01624) 686507. Electronic copies are also available at www.gov.im/oft/consultations.gov.
Noted.
- k)** Letter from the Secretary of the Cooil Roi Social Club thanking the Board for their £100 contribution from the Laxey Fair Committee for the use of the site for the 2012 Fair.
PH informed the Board that Lonan had never donated any money to Cooil Roi. Noted.
- l)** Treasury Budget Statement sent to Mr Talbot from Mr Teare, dated 07.03.13 regarding the Water and Sewerage Authority in that year on year there will be reductions in Government support which will result in increased charges through the rates, reduction in man power and use of some of their reserves.
Noted.
- m)** Office of Clerk of Tynwald writes on 08.04.13 regarding Social Affairs Policy Review Committee – Pre School Education Investigation. Following a request from a number of members of Tynwald they have been directed to carry out an investigation on the education Department’s policy on pre-school education and to that end a questionnaire is attached. Please return the questionnaire before Friday 17th May 2013 or carry out survey on line at www.smart-survey.co.uk/s/Pre-SchoolSurvey.

PH advised the Board that the questionnaire is aimed at parents and not Local Authorities. Noted.

- n) Office of the Clerk of Tynwald invitation of 11.04.13 to the Chairman for the Tynwald Day Celebration on Friday 5th July 2013. Requests if you want one or two tickets for the Grandstand and reply before Tuesday 30th April 2013. *ND to attend with Spouse.* ND PH
- o) Laxey & Lonan Heritage Trust letter of 12.04.13 acknowledging receipt of donation of £1000.00. *Noted.*
- p) Laxey & Lonan Heritage Trust letter of 12.04.13 regarding the Heritage Information Centre. Extract - 'Following on from a recent Trust meeting, it was agreed by those present that a slightly more formal structure be instigated with regard to the collection of monies to assist with the running of the Information Centre which is located in Mines Road. This change was to be a formal invoicing system. Accordingly, please find attached an invoice from the Trust for £1500.00 with regard to the provision of Tourist Information Services for the 2013 Season.' (Minutes of LHT – 10.01.13 attached). *A discussion took place regarding a Charity invoicing for what is a voluntary donation. Whilst accepting that the Heritage Trust is an important promotional outlet for the area and that justification to submit a donation falls within the auspices of one of the functions of a Local Authority to promote tourism in the area, It was agreed that £1000.00 had already been paid for the current financial year and there was no scope to increase this. The matter of paying the additional amount was for consideration when assessing the rates for 2014 to 2015. On this occasion the Clerk was directed not to pay the attached invoice and advise the Secretary accordingly.* PH
- q) **Andrew.Cairns@pdms.com e-mails at 1457 hours on 27.03.13 to send invitation to PDMS' Isle of Man Local Authority Solutions – Lunchtime Seminar, 9th May, 12pm** With an ever greater regulatory burden being placed on the Island's Town, District, Village and Parish Authorities and with an increasing demand to offer more for less; compliance can be a major headache for your authority. Compliance covers a wide spectrum of issues from regulatory or internal procedures right down to ensuring you are storing and can easily access the right records. Managing it properly can take up a great deal of valuable time and resources. In extreme cases poor compliance management can result in legal action. PDMS have developed a solution that helps deal with these challenges of compliance by securely storing, sharing and auditing documents. Our Controlled Document Portal provides a safe, secure and cost effective way of managing different types of documentation, and allows for collaboration both within your organisation and your wider stakeholders. What's more, it's securely hosted by PDMS on the Isle of Man and is provided as a managed service – meaning that you don't have to worry about IT infrastructure, bandwidth or business continuity. We'd like to invite you to an informal lunch time seminar to find out more about your current challenges and to show you how our Controlled Document Portal could help your authority further improve productivity and deliver time and cost savings. PDMS is an Isle of Man based software and services organisation that has been helping local organisations manage their data and compliance issues for more than 20 years. Registration is at 12-00; the presentation will start at 12-15pm and will be followed with a buffet lunch at 1pm. We do hope that you can join us and if you, or any of your colleagues, would like to attend, please can you reply to this e-mail and we will reserve you a place. *SC to attend* PH
- r) Draft Minutes of the Garff Meeting held on 10th April 2013. *ND outlined the matters discussed at the meeting and in particular the attendance of Mr Robertshaw, Minister for the Department of Social Care, regarding Public Sector Housing and how they wish to create five Housing Authorities and devolve responsibility to them. One of the suggestions that had been made was to discuss the issues with a current Local Authority that had housing responsibilities and suggested contacting Braddan Commissioners. The Board agreed and the Clerk was requested to canvas opinion from the* PH

other Garff members and then, if approved, to arrange a meeting with Braddan at the next Garff Meeting on 10th July. Other matters regarding refuse collection were also discussed.

- s) Laurence Skelly, Chairman of the Isle of Man Arts Council writes on 12.04.13 regarding Island of Culture 2014 and seeks the cooperation of the Local Authority to mark this occasion with some special event or significant gesture. For example, Port St Mary is changing it's name to the Manx version for the year. The Authority is encouraged to help make Island of Culture the success it promises to be. More information can be found by going to www.islandofculture.im or contact Emma Callin, Community Arts Development Manager at DCCL on 694598 or emma.callin@gov.im *It was agreed to defer this topic to the next Statutory Meeting to give members time to consider the request. PH provided each member with a copy of the said letter.* PH
- t) Minutes of Municipal Meeting – 28.03.13. *SC provided a summary of the meeting; the main topic of which was trying to get the Chief Minister to attend one of the meetings to outline his vision and expectation of the structure and function of Local Authorities, but he had not been forthcoming. He added that the Chief Minister had also been given the opportunity to choose a date when he was available and the Association would convene to that, but again no response had been forthcoming.*
- u) Brigadier Butler e-mails at 1039 hours on 19.04.13 with invitation to the Armed Forces day Celebrations to be held on Sunday 30th June 2013 at 1500 hours at the Villa Marina. There will be a procession from Regent Street beforehand. RSVP to Mrs E. Caley on 685708 or by e-mail to Elaine.caley@cs.gov.im. Reply before Friday 22nd June 2013. *SC/JF/ND/MB to attend.* SC
JF
ND
PH
- v) Onchan District Commissioners invitation to the Chairman, members and Clerk to their Civic Service to be held on Sunday 19th may 2013 at 1435 hours at St Peters' Church. The Procession will assemble at 1435 hours at the Youth and Community Centre Car Park. Chains of Office may be worn. (Order of procession enclosed). *ND/JF to attend.* ND
JF
PH
- w) Douglas Borough Council notice of 17.04.13 regarding their Civic Service to be held on Sunday 9th June 2013 at 1030 hours at St Thomas's Church, Douglas. Invitations to follow. *JF to attend.* JF
- x) Peel Town Commissioners letter of 18.04.13 with invitation to their Civic Service to be held on Sunday 26th May 2013 at 1100 hours at the Peel Methodist Chapel, Atholl Street, Peel. The procession will commence at 1045 hours from the Town Hall in Derby Road. Chains of Office may be worn. (Order of procession enclosed). *JF to attend.* JF

11/13 Enforcement Matters.

- a) *No new matters. PH outlined two current matters in Baldrine, one which was progressing well and the other was still under investigation.*

12/13 Special Agenda Items.

- a) *None notified.*

13/13 Any Other Business.

- a) **SC** – Stated that he was unable to attend the Municipal Association Meeting on 25th April and asked if anybody else could do so. **ND** to attend. ND
- b) **SEC** – Raised the matter of rate debtors and requested that the Clerk write to Mr Wild seeking his **PH**

advice and assistance with regards to outstanding rates and how they could be collected.

- c) **PH** – Sought authority to dispose of long standing correspondence via a secure method. This was agreed.
- d) **ND** – Sought the Boards approval to send a letter of congratulations to **BB**, former Commissioner on his recent wedding. Agreed. **PH**

There being no further business, the Meeting closed at 1850 hours.

The next Meeting of the Authority will be the Annual General Meeting on Wednesday 8th May 2013 at 1815 hours.

The next Statutory Meeting of the Authority will be held on Wednesday 22nd May 2013 at 1815 hours.