# LAXEY VILLAGE COMMISSIONERS

# **Monthly Meeting**

Wednesday 8<sup>th</sup> January 2014 6.45 pm

# **Meeting Minutes**

Present: Mr J James (Vice Chairman), Mr P Kinnish, Mrs R. Bate, Mr AJ Moore (Chairman), Mr J Rosa.

**In Attendance**: Mr P. Burgess, Clerk. **Apologies:** Mr P Hill Deputy Clerk.

#### 106/13 Planning Matters

# a) Planning Applications

Planning Application 13/91512/B of 20.12.13 in respect of erection of a replacement detached garage with first floor tourist living accommodation above with associated parking at Lowfield, Stoney Road, Laxey. [LVC Ref: 3662].

Resolved - To Approve the following Planning Application Notice no. 13/91512/B.

Approved.

# b) Approval Notices (DoLGE Planning Committee)

Planning Approval Notice No 13/91344/B of 20.12.13 in respect of erection of an extension at The Evergreens, South Cape, Laxey. [LVC Ref: 3657]{Delegated Powers}. *Approved by LVC*.

Resolved - To note the following Planning Approval notice no. 13/91344/B.

Planning Approval Notice No 13/91361/B of 06.01.14 in respect of installation of new window and door onto Whitehouse Close at Old Butchers Shop, Whitehouse Buildings, New Road, Laxey, IM4 7BB. [LVC Ref: 3658]{Delegated Powers}.

Resolved - To note the following Planning Approval notice no. 13/91361/B.

c) Refusal Notices (DLGE Planning Committee)

Nil

d) Appeal Notices (DLGE Planning Committee)

Planning Enforcement (DLGE Planning and Building Control)

e)

# Nil **107/13 Approval of Minutes**

Minutes of Monthly Meeting held on 18<sup>th</sup> December 2013 were examined for accuracy, and it was unanimously resolved they represented a correct statement of events.

Proposed RB, Seconded JJ

# 108/13 Matters arising out of the minutes 18<sup>th</sup> December 2013

a) Meeting Reference 103/13, item a). – Item deferred.

Voirrey. Quirk @gov.im e-mails at 1000 hours on 06.12.13 regarding Government review of the Isle of Man Strategic Plan 2007. In 2011, the Government undertook the Census. From analysing the resultant data, the Economic Affairs Division of the Treasury has been able to make predictions about future population growth on the Isle of Man. The current 2007 Isle of Man Strategic Plan was based on the 2001 and 2006 Census data and this was used to calculate the number of dwellings likely to be required across the Island to meet the needs of the growing population up until 2016. The time has now come to update these figures using the revised 2011 Census data. The Department has identified the parts of the Plan (including Policies, supporting text, tables and appendices) which may require revising in order to update the Plan to a longer time horizon. The rest of the Plan will remain untouched by the Review and will essentially "roll forward" as worded in the 2007 Plan. The Preliminary Publicity Consultation Document details which parts of the existing Plan are subject to review. Details of the consultation and all the relevant documentation can be found on the Government website at the following link <a href="http://www.gov.im/categories/planning-and-building-control/planning-policy/strategic-plan/">http://www.gov.im/categories/planning-and-building-control/planning-policy/strategic-plan/</a>. The consultation will run from the 6<sup>th</sup> December 2013 closing at 5pm on the 31<sup>st</sup> January 2014. All responses need to be made on a Response Form which

can be completed electronically via the website or filled in by hand and returned to the Planning Office. In order for Local Authority Clerks and Commissioners to learn more about the review and what the consultation is about, an open house consultation event has been scheduled. This will take place at Murray House, Douglas on Monday 6<sup>th</sup> January 2014. Officers from the planning policy team will be present from 3pm to 7pm to assist in explaining the scope of the review, the process and to answer any questions. Please feel free to attend at any point during these times but it would be useful if those wishing to attend notify the Planning Office either by emailing planningpolicy@gov.im or calling 685 950.

Resolved to Deferred until meeting 22.01.14.

# 109/13 General correspondence

a) Stephen Hind at Treasury emails at 17.21 on 20.12.13 with Consultation documents in respect of Proposals for Local Government Audit and Financial Reporting Requirements.2014. The Treasury, having noted the high level of financial compliance now being achieved across the sector, now considers that the existing 'one size fits all' approach is no longer appropriate and so is proposing a revised and more proportionate 3 tier framework to audit/inspection, based upon turnover:

Turnover Threshold	<b>Examination Type</b>	Description		
Up to £100k	Qualified	An independent examination similar to the model		
	Independent	used for Manx Registered charities2 whereby		
	Examination	accounts are examined by an independent person		
		holding agreed financial qualifications.		
Between £100k to	Assurance Review	An assurance review performed by a qualified		
£1m		accountant similar to the standard assurance		
		product outlined by the Institute of Chartered		
		Accountants of England & Wales (see Appendix 2).		
		Note, whilst performed by a qualified auditor this		
		is not a 'regulated' audit.		
Over £1m	Statutory Audit	As currently undertaken in accordance with the Act		
		and undertaken by regulated auditor.		

Submission by 31<sup>st</sup> January 2013.

The Clerk briefed the Commissioners on comments put forward by the Authorities Accountant. The Clerk advised the Commissioners that if was felt the Authority had been overburdened with Audit fees having being placed in the same band as Braddan, Castletown, Port Erin, Port St Mary, and Peel all of which were housing Authorities. A discussion took place and it was Resolved that Laxey should be in the same band as Malew and Kirk Michael Commissioners. Clerk to complete the consultation questionnaire.

- b) Department of Infrastructure letter from Mr Williams, Health and Safety Advisor, dated 16.12.13 regarding recent Court case in the UK involving negligence by a Local Authority. This Authority ignored warning about a defective swing which ultimately led to a serious accident. The purpose of Williams' letter is to remind Local Authorities to act quickly if provided information about defective items, etc.
  - A brief discussion took place and it was resolved to note.
- Mr Wrigley writes on 24.12.13 regarding Alternative Means of Service Delivery Municipal Waste Management. The letter states "Recommendation 5 of the Council of Ministers response to the Scope of Government Report states: 'CoMin will set out proposals for reform of two of the biggest areas of expenditure and commonality of Local Authorities, which are housing and waste collection and disposal activities and report to Tynwald by Autumn 2013.' The Department has undertaken a high level review and identified three options to the Council of Ministers. As a stakeholder, we want your views on the three options, which are outlined in this letter. The key services considered were: Waste Collection (Refuse Collection/Civic Amenity Sites/Bring Bank and Kerbside recycling collections, and Waste Disposal, (Energy from Waste Plant/Landfill). Mr Wrigley would be happy to attend Local Authority Meetings to discuss these proposals and in any event responses to the

document must be submitted before Friday 7<sup>th</sup> February 2014.

A discussion took place and it was resolved to propose that Mr Wrigley be invited to a Garff meeting to discuss the outlined proposals with the three Garff Boards.

- d) E-mail at 1511 hours on 17.12.13 from Mike Barnes I have attached the latest plan proposal and my email to Steven. If the bus stop is relocated, then a shelter will be required, this will have to be recessed into the garden wall, but this would be a much cheaper option than any other proposal and parking is not lost.
  - The Clerk advised this was only a proposal provided as an alternative to a previous scheme. It was noted that JR was currently engaging in discussions with various interested parties with respect to a proposal for diagonal parking at the Rose Gardens. Resolved to note.
- e) Graham Shimmin e-mails at 1707 hours on 27.12.13 Further to our correspondence below, please find attached an agreement for the sale/purchase of the kiosk at Laxey MER station for the Board of Commissioners consideration.
  - The Clerk brief the Commissioners main contents of the sale agreement. It was Unanimously resolved to purchase the Laxey MER station telephone Kiosk at the cost of one £1.
- John.Howie@gov.im e-mails at 0911 hours on 24.12.13 regarding the Housing (Registration) f) Regulations 2013 & Housing (Standards) Regulations 2013 - As you will be aware, the Department conducted a public consultation exercise in early 2013 regarding a proposal to introduce regulations controlling standards of accommodation, occupancy levels, amenity and facilities in flats and Houses in Multiple Occupation (HMOs). It was also proposed that regulations be introduced requiring flats and HMOs to be registered by the local authorities. The concept of registering flats, of course, is not new as they currently have to comply with the Housing (Flats) Regulations 1982 and be similarly registered under the same. However, legalising HMOs, requiring them to be registered and comply with stipulated standards is new to the Isle of Man. I would advise you that Tynwald has very recently approved the Housing (Standards) Regulations 2013 and the Housing (Registration) Regulations 2013 and I have attached copies to this e-mail for your perusal and records. Both come into operation on 1st January 2014. The former stipulates the standards required in flats (by way of updating the existing regulations) and for HMOs, including maximum occupancies. The latter relate to the requirements to register flats and HMOs. Similar to the current regulations appertaining to flats, the enforcing authorities for these regulations are the local authorities. It is envisaged that the Environmental Health Officers/Public Health Officers from this Unit will continue to act as agents and authorised officers of the local authorities to assist in the proper enforcement of these new regulations on your behalf. This is as currently provided with regard to various legislative provisions relating to public health and housing matters. It is worth pointing out that the new regulations also provide for the payment of a fee of £50.00 for each application for the registration of a flat or an HMO. This fee will be payable by the applicant to the local authority and **not** this Department. The relevant 'pro-forma' application forms, notices etc., are currently being drafted and guidance leaflets have already been sent for printing. I will ensure that any such material that is appropriate will be forwarded when available. In the interim, you may wish to direct any enquiries etc., to this Unit. I would also be more than willing to visit your offices to discuss these regulations further with your officers or members as you wish.

A discussion took place as to the number of HMO in Laxey, the Clerk stated he was not aware of any in Laxey but would investigate.

- g) Minutes of ECAS 23.12.13 which details increases in charges for the respective Authorities from 1<sup>st</sup> April 2014.

  \*\*Resolved to note.\*\*
- h) Chief Minister writes dated 02.01.14, with invitation to attend the Islands commemoration of Holocaust Memorial Day on Sunday 26th January 2014. The Service takes place at St George's Church, Upper Church Street, Douglas at 3.00 pm. The congregation is requested to be seated by 2.45 pm. Holocaust Memorial Day is a time to remember all the innocent victims of Nazi persecution, and to remind ourselves that evil ideologies and regimes are not necessarily a thing of

the past. The Isle of Man has a long and proud tradition of parliamentary democracy and it is therefore entirely appropriate that the Government and the people of the Island should be marking Holocaust Memorial Day.

No one available to attend.

i) MEA emails on 03.01.14 at 09.23, following an inspection of the above fitting (LA046 opposite Thornycroft New Road) by one of street light technicians it appears the high winds have broken the mountings. Unfortunately the fitting is beyond repair and requires replacement. The estimated cost of the replacement is £460.00 + 20% VAT for a standard fitting or £580.00 + 20% VAT for an LED option.

Resolved to approve.

#### 110/13 Committee Reports

- a) Municipal Association Roz Bate 29.01.14, Willow House Onchan at 7.00pm. *No Report*.
- b) Laxey & Lonan Heritage Trust Peter Kinnish. No Report
- c) Cooil Roi Housing Authority Andrew Moore Justin Rosa. No Report
- d) Laxey & Lonan Sports and Community Facilities Jeff James, No Report
- e) Garff Joint Initiative Committee Roz Bate, Justin Rosa meeting 14.01.14 at 7.00pm. *No Report*.
- f) Northern Traffic Management Liaison Committee Roz Bate. No Report.
- g) Laxey Youth Initiative Roz Bate, Jeff James. *No Report*.
- **h)** Regeneration Committee Peter Kinnish, Justin Rosa. Meeting dates 29.01.14, 26.02.14, 26.03.14, 30.04.14 and 28.05.13. All meeting at 6.30pm. *No Report*.
- i) Eastern Civic Amenity Site Joint Committee Andrew Moore meeting 23.12.13. *No Report*.
- **j)** Works and Amenity Clerk. The Clerk referred to the report circulated at the meeting 22.12.13 and asked the Board to approve the purchase of six replacement doors for the beach huts and a replacement door for the Henry Bloom Noble Shelter. Resolved to approve the purchase of seven doors.

# 111/13 Chairman's Report

No Report.

# **112/13** Reports

a) Nil.

# 113/13 Any Other Business

- a) BD e-mails at 1714 hours on 03.01.14 To All Municipal Members and Member Authority Clerks: I am writing to inform you that our Chairman has written on behalf of the Municipal Association to the Waste Department of the DoI, protesting about the shortage of time for member authorities to meet and then for them to share their thoughts with a Municipal gathering. This would leave only a few days to meet the deadline if we were to do a collective response as well as any individual responses members may wish to make. Mr Wrigley is saying in his final paragraph that he will meet with member authorities individually before the deadline. This seems unrealistic and attempting to conclude matters with indecent haste. *Resolved to note*.
- b) Clerks seeks Commissioners views on meeting dates during June, the first Wednesday in June falls on 4<sup>th</sup> which is during TT race week. Consideration needs to be given to moving this meeting date as has been the practice in previous years. A discussion took place and it was Resolved the June monthly meeting be moved to Wednesday 11<sup>th</sup> June 2014.
- c) Highways Policy Speed Management Pages 54 & 55 of the Report.

  PK reported he did not understand the policy. A discussion took place and it was resolved the Clerk contact the department and ask for an interpretation of this policy.

- d) Bill Dale of Beach Buddies e-mails at 1220 hours on 07.01.14 - I'm writing to update the idea which was formulated some months ago by Beach Buddies about placing sponsored bins at access points to beaches (and glens, plantations, footpaths) all over the Island, which will be provided by Beach Buddies in partnership with corporate sponsors, the DoI Waste Management Department, Department of Education and Children and, most importantly, the appropriate local authority. The idea is that special bins (easily identified by their colour - orange) will be placed at numerous positions around the Island, beginning with access points to beaches such as Laxey, for which we already have a number of potential sponsors lined up. Alongside the bin will be a plastic bag dispenser, provided and maintained by Beach Buddies, and the bin and dispenser will carry a simple message to invite members of the public to "Fill a Bag and Make a Difference" and to deposit a small amount of rubbish from the beach into the bin at the end of their walk. There will also be a brief safety message, advising the public not to pick up any item which might be considered dangerous (i.e. flares, chemicals, sharp items, syringes etc etc) and to report the find to Beach Buddies or the Coastguard. The bag dispenser will be topped up regularly by Beach Buddies. It is anticipated that there will be a positive public response, and the idea will make it easier for people to collect litter, and more, importantly, not to leave litter on the beaches. As a result, this will become a new litter awareness campaign across the Island, which can eventually be expanded to glens, plantations, walkways and footpaths, and possibly even further across the Island, to instill a new awareness, particularly in younger people, about the dangers that litter causes to wildlife and the environment. However, before this campaign can gather speed it clearly needs to be organised in the beginning at local authority level, which is the reason for writing, as collection of rubbish collected is obviously your area of expertise. I hope this message has explained the idea, but I appreciate that there may well be more questions. Please call me on 496560 if you need to contact me. A discussion took place and it was resolved to approve the Beach Buddy request to place a bin and bag dispenser on Laxey Promenade, the Commissioners preferred location by next to the slipway.
- e) Agenda and Minutes circulated for Garff meeting on 14<sup>th</sup> January 2014 at 7.00pm, Laxey Commissioners Boardroom. All Commissioners are encouraged to attend, please take along your copy of the John Wrigley letter dated 24.12.13, re Alternative Means of Service Delivery Municipal Waste Management.

Resolved to note.

f) Following the closure of the Laxey Branch of the Isle of Man Bank on Friday 10<sup>th</sup> January 2014, the Clerk seeks approval from the Board to claim mileage allowance when travelling to and from the Onchan branch of the Isle of Man Bank, calculated distance approx 5.2 miles each way. Mileage Rates Below:

Type of Vehicle	First 6,000 Miles	Over 6,000 Miles
Motor Vehicle - engine capacity up to 1299cc	46.0	34.0
Motor Vehicle - engine capacity 1300cc or over	52.0	40.0
Motor Cycle	26.0	17.0

Resolved to approve.

- g) Mr G M Bolt Borough Treasurer, Douglas Borough Council emails at 1155hrs on 08.01.14 with revised Draft Funding Strategy Statement for the Isle of Man Government Superannuation Scheme and seeks comments in writing. Date for Submissions Friday 31<sup>st</sup> January 2014. *Copies Circulated. Deferred to meeting* 22.01.14.
- h) Meeting Reference 91/13, and 102/13 item a)
  Angie Street. Department of Community Culture and Leisure, Isle of Man Railways, seeks suggestions from the Commissioners for an event to be held in and around Laxey during 2014.

- JJ reported he would be attending the next meeting of the Laxey Sailing Club to raise the proposal for a maritime event based around the harbour and beach area.
- i) A Commissioner stated they understood that application for Certificate of Lawful Use for Noah's Ark Nursery been refused and the potential purchases were in the process of submitting a planning application in respect of use and proposed opening hours. The Clerk advised the Authority had received notification of any decision regarding the Certificate of Lawful Use. A discussion took place and it was noted the potential purchaser were holding a meeting for any interested parties at Laxey Football Club House on the evening of Friday 10<sup>th</sup> January.

Meeting Closed at 8.25pm

Date of next meeting - Wednesday 22<sup>nd</sup> January 2014, 6.45pm.